

	CITY OF CHANDLER ADMINISTRATIVE REGULATION	EFFECTIVE DATE: January 28, 1992
		DATE LAST REVIEWED: November 15, 2016
		NUMBER: CC Reg. CA-01
		DPR: City Attorney's Office
ADA NOTICES, REASONABLE MODIFICATION REQUESTS, AND GRIEVANCE PROCEDURE FOR PROGRAMS, SERVICES & FACILITIES		

I. PURPOSE

- A. To establish a standard form of public notice to be provided concerning the Americans with Disabilities Act (ADA) and the accessibility of City programs, services, activities, and facilities to individuals with disabilities.
- B. To establish a standard Grievance Procedure to provide prompt and equitable resolution of complaints from the public alleging noncompliance with the requirements of the ADA.

II. RESPONSIBILITY

- A. Departments responsible for designing and maintaining the City's external website (<http://chandleraz.gov>) will be responsible for ensuring the ADA Notice, ADA Grievance Procedure and Grievance Form, and any related accessibility/inclusion instructions and forms are incorporated into the website.
- B. The Communications and Public Affairs Director and Community Services Director will be responsible for ensuring the appropriate ADA Notices are included in their departments' publications on a periodic basis.
- C. The ADA Coordinator, in consultation with the City Attorney's Office, will be responsible for ensuring the effective use of the ADA Grievance Procedure.
- D. Department directors will be responsible for identifying all department publications and announcements directed to the public that should include a notice concerning the ADA and the accessibility of City programs, services, and activities.
- E. Directors and managers will be responsible for identifying facilities frequented by the public in which the ADA Notice should be displayed.

- F. Directors and managers will be responsible for ensuring that processes are in place and information made available for members of the public to make a Request for Reasonable Modification/Barrier Removal.
- G. All Departments and employees will be responsible for working to ensure that City programs, services, activities, and facilities are accessible to people with disabilities and cooperating as necessary to comply with the requirements of this regulation and the ADA.

III. DEFINITIONS

Accessible – A site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely by a person with a disability.

ADA – Americans with Disabilities Act, as amended, a federal civil rights law that prohibits discrimination on the basis of disabilities in employment, state and local government programs and activities, public accommodations, transportation, and telecommunications.

ADA Coordinator – One or more City employees designated by the City Manager to coordinate the City's efforts to comply with the requirements of the ADA.

Disability - A physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.

Inclusion – The active engagement of people with disabilities in all aspects of society.

IV. PROCEDURES

A. PUBLICATION AND POSTING OF ADA NOTICES AND GRIEVANCE PROCEDURE

1. City External Website (<http://chandleraz.gov>):
 - a. The full ADA Notice (Attachment A-1), and the ADA Grievance Procedure (Attachment B-1), will be included in a prominent and accessible manner on the City's external website. Where appropriate, links to the ADA Notice will be provided from web pages related to City programs, services, and activities in which individuals with disabilities are likely to participate and may require reasonable accommodation. Related accessibility and inclusion statements, instructions, and downloadable forms will be easy to find and access.
 - b. A Statement of Inclusion (Attachment A-3) will be included in easy-to-locate places on the web pages for both Aquatics and Recreation. A Request for

Reasonable Modification form, or information on how to obtain the form, will be available on Recreation and Aquatics pages.

2. City-wide Publications:

- a. The ADA Notice (or a shortened version thereof) will be published at least one time per year in *CityScope*. The standard and condensed versions of the ADA Notice are included as Attachments A-1 and A-2.
- b. A statement regarding Inclusion and Participation will be included in a prominent, easy-to-find place in publications of Break Time. An example of the Inclusion and Participation statement is included as Attachment A-3.

3. Other Publication and Posting

- a. Directors will ensure the ADA Notice and information about the ADA Grievance Procedure are posted, published, and otherwise publicized, as appropriate, in connection with City-sponsored programs, activities, and services.
- b. Directors will ensure the ADA Notice and information about the ADA Grievance Procedure are included in appropriate publications and public notices.

B. ADA GRIEVANCE PROCEDURE

1. The ADA Grievance Procedure will be used to address complaints of alleged noncompliance with the requirements of the ADA, including complaints related to the disposition of a Request for Reasonable Modification or Barrier Removal. This procedure is not applicable to employee requests for reasonable accommodation or complaints of disability discrimination for which there is an existing grievance procedure. A description of the ADA Grievance Procedure will be available to interested persons on the external website and from the City Clerk's office and the ADA Coordinator. The description of the ADA Grievance Procedure is included as Attachment B-1.
2. A standard ADA Grievance Form will be available to initiate the ADA Grievance Procedure. The written Grievance must include information about the alleged discrimination including the name, address, and phone number of complainant and location, date, and description of the problem. The ADA Grievance Form will be available on the City's external website and from the City Clerk's Office and the ADA Coordinator. A copy of the standard ADA Grievance Form is included as Attachment B-2.
3. The ADA Coordinator will ensure the ADA Grievance Procedure and Form are available in alternative formats so they are accessible to all persons with disabilities.

4. The grievance should be directed to the ADA Coordinator and must be submitted no more than 180 days after the alleged violation or incident from which the grievance arises.

5. Grievances will be processed in the following manner:

a. Step 1: Investigation by ADA Coordinator

(i) Upon receipt of a grievance, the ADA Coordinator will conduct an informal and thorough investigation of the complaint including interviews of the grievant, or grievant's representative, and all relevant City personnel.

(ii) Within 30 calendar days of receipt of the complaint, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the grievant, such as large print, Braille, or audio tape. The response will explain the position of the City and offer options for resolution of the complaint.

b. Step 2: Appeal to Assistant City Manager

(i) If the grievant believes the response by the ADA Coordinator does not satisfactorily resolve the matter, the grievant may appeal the ADA Coordinator's decision to the Assistant City Manager within 15 calendar days after receipt of the ADA Coordinator's response.

(ii) When possible, the appeal will be reviewed by the Assistant City Manager who has responsibility for the department or subject matter that is the focus of the complaint.

(iii) The Assistant City Manager will review the ADA Coordinator's decision and the record and, in his/her discretion, may decide to investigate the matter further.

(iv) The Assistant City Manager will contact or meet with the grievant to discuss the complaint and possible resolutions within 15 calendar days after receipt of the appeal.

(v) Within 15 calendar days after the contact or meeting, the Assistant City Manager will provide a response in writing or other format accessible to the grievant.

c. Step 3: Appeal to City Manager

- (i) If the grievant believes the decision of the Assistant City Manager does not satisfactorily resolve the matter, the grievant may appeal the decision to the City Manager, or designee, within 15 calendar days after receipt of the Assistant City Manager's response.
 - (ii) The City Manager will review the complete record of the grievance and, in his/ her discretion, may conduct further investigation of the matter.
 - (iii) Within 15 calendar days after receipt of the appeal, the City Manager will meet with the complainant to discuss the complaint and possible resolutions.
 - (iv) Within 15 calendar days after the meeting, the City Manager will provide a final response to the grievance, in writing, and, where appropriate, in a format accessible to the grievant. The City Manager's response will constitute the final resolution of the grievance.
6. **Designees for City Personnel.** The ADA Coordinator, Assistant City Manager, and City Manager may delegate their authority to act under the Grievance Procedure to other City personnel as their designees. The grievant will be informed, in writing, when such a delegation of authority has been made.
7. **Authorized Personal Representative.** The grievant may be represented throughout the steps of the grievance procedure by a representative authorized by the grievant to represent the grievant's interests. The grievant must inform the City in writing when a representative is authorized to represent the grievant's interests before the City.
8. **Deadlines.** When the deadline for an action under this Grievance Procedure falls on a weekend or a holiday, the deadline will be extended to the next working day the City Manager's office is open for business. Deadlines for actions to be performed by the City may be extended, in writing, by the City Manager where business necessity warrants or by mutual agreement of the parties. Deadlines for actions to be performed by the grievant may be extended only by mutual consent of the parties.
9. **Record Retention.** The ADA Coordinator will retain all written grievances received by the City and all appeals to and responses by the City for at least three years.
10. Use of the Grievance Procedure is not a prerequisite to pursuing any other method of making an ADA complaint against a public entity provided by law.

C. REQUESTS FOR REASONABLE MODIFICATION AND/OR BARRIER REMOVAL

- 1. Departments will provide and publicize methods for members of the public to request modification of a policy, practice, procedure, or facility so individuals with

disabilities have an equitable opportunity to participate in a department's program, service, or activity.

2. Departments will provide a standard request form to members of the public seeking to request a reasonable modification and/or barrier removal and/or develop program-specific forms and processes for making such requests in consultation with the ADA Coordinator. The standard form for requesting a reasonable modification and/or barrier removal is included as Attachment C-1.
3. The ADA Coordinator will develop and maintain a centralized process for tracking and reporting requests for reasonable modification and/or barrier removal and related decisions, actions, and outcomes.
4. Employees will inform individuals who are dissatisfied with the outcome of a request for reasonable modification and/or barrier removal that they may seek to have their complaint resolved internally and expeditiously through the ADA Grievance Procedure or may pursue any other method for making an ADA complaint provided by law.

D. ADA REPORTING

1. A City employee who receives a request or complaint relating to the accessibility of a City facility, program, activity, or service to people with disabilities that cannot be fully and easily resolved should direct the complainant to the ADA Coordinator.
2. Directors, or their designees, will report to the ADA Coordinator all accessibility-related inquiries and complaints that are received and addressed at the Department/Division level. At minimum, the report should contain the name and address of the complainant, a summary of the complaint, the date the complaint was received, a description of the action taken by the Department/Division to address the complaint, and the date the matter was fully resolved or otherwise closed. The ADA Coordinator will establish a procedure and schedule for providing such reports.

Attachments:

- A-1 – Long ADA Notice
- A-2 – Short ADA Notices for City publications
- B-1 – ADA Grievance Procedure
- B-2 – ADA Grievance Form
- C-1 - Request for Reasonable Modification/Request for Barrier Removal Form

City Attorney

Date

City Manager

Date

ATTACHMENT A-1



CITY OF CHANDLER

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)



The City of Chandler is committed to ensuring that people with disabilities are able to participate in, and benefit from, the full range of public programs, services, and activities offered by the City. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, as amended, the City of Chandler will not discriminate against qualified individuals with disabilities on the basis of disability in the City's facilities, services, programs, or activities.

Employment: The City of Chandler 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 Americans with Disabilities Act (ADA).

Effective Communication: The City of Chandler 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 facilities, services, programs, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Chandler will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City facilities, programs, services, and activities. For example, individuals with service dogs are welcome in City facilities, even where animals 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 City of Chandler program, service, or activity, should contact the City's ADA Coordinator no fewer than two business days before the scheduled event or meeting:

Warren White, ADA Coordinator
Mailing address: Mail Stop 405, PO Box 4008, Chandler, AZ 85244
Physical address: 215 East Buffalo St., Chandler, AZ 85225
Phone: 480-782-3337 or 711 via AZ Relay Service (AZRS)
E-mail: ada.coordinator@chandleraz.gov

Requests for reasonable accommodation may also be made directly to the responsible City office or department as follows:

- For communication aids and services at City Hall and City Council Chambers, contact the City Clerk, Marla Paddock, at 480-782-2180 (711 via AZRS) or marla.paddock@chandleraz.gov.
- For accommodations relating to the Recreation, Parks, and Aquatics programs of the Community Services Department, contact Collette Prather, Recreation Inclusion Specialist, at 480-782-2709 (711 via AZRS) or collette.prather@chandleraz.gov.

Optional forms for requesting an accommodation are available from the City website, the City Clerk's Office, or the ADA Coordinator.

ATTACHMENT A-1

The ADA does not require the City of Chandler 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 City program, service, facility, or activity is not accessible to persons with disabilities should be directed to the ADA Coordinator.

The City of Chandler will not impose a surcharge on an 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.

Short Form ADA Notice

Notice to Individuals with Disabilities: The City of Chandler is committed to compliance with the Americans with Disabilities Act (ADA) and to maintaining accessible facilities, services, programs and activities; promoting inclusion through reasonable accommodations; and striving to make all interactions with City government positive and successful for all. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City of Chandler program, service, or activity, should contact the City's ADA Coordinator, Warren White, at (480) 782-3337 (or 711 via AZ Relay Service) or ada.coordinator@chandleraz.gov, as soon as possible but no fewer than two business days before the scheduled event or meeting. Communication aids and services at City Hall and City Council Chambers also may be requested through the City Clerk at (480) 782-2180. Optional forms for requesting a reasonable accommodation are available from the City's website, the City Clerk's Office, and the ADA Coordinator. Complaints that a City program, service, facility or activity is not accessible to individuals with disabilities should be directed to the ADA Coordinator. For more information about the ADA and City services, programs, and activities, please see the City's website (chandleraz.gov) or contact the ADA Coordinator.

ATTACHMENT A-2

City of Chandler Community Services Department Statement of Inclusion

The City of Chandler Community Services Department welcomes and encourages the participation of children and adults, including those with disabilities, in all of its facilities, classes, programs and activities. Our Therapeutic Recreation staff offer classes, programs and activities specifically designed for qualified individuals with disabilities.

In addition, we welcome and encourage persons with disabilities to participate in our general recreation and aquatics classes, programs and activities or to use our facilities. We are committed to compliance with the letter and spirit of the Americans with Disabilities Act (ADA), and to:

- Maintaining accessible facilities, classes, programs and activities;
- Promoting inclusion through reasonable accommodations; and
- Striving to make the recreational experience a positive and successful one for all.

If a qualified individual with a disability requires assistance in order to successfully participate in one of our classes, programs or activities, or to use our facilities, a reasonable accommodation should be requested.

Those visiting the Department's facilities or taking part in the Department's programs or activities must be able to participate in an independent fashion, as staff is not able to provide services of a personal nature, such as assistance in eating, toileting or dressing. Participants are welcome to bring a caregiver or aide if they need assistance with these activities. Personal caregivers/aides will not be charged internal fees for programs or activities they are assisting in, but they are still responsible for paying external costs, such as ticket or admission fees.

Completion and submission of the Request for Modification form, at least two weeks prior to the beginning of a class, program or activity, is requested to allow City staff to review the request and make the necessary arrangements to accommodate qualified individuals with disabilities who otherwise meet programs' standard minimum requirements.

ATTACHMENT A-2

Condensed version for publication

Inclusion and Participation: The Community Services Department welcomes and encourages the participation of children and adults with disabilities in all of its classes, programs and activities. Our Therapeutic Recreation staff offer activities specifically designed for individuals with disabilities. In addition, we welcome and encourage persons with disabilities to participate in our general recreation and aquatics classes, programs, and activities. We are committed to compliance with the Americans with Disabilities Act (ADA), and to maintaining accessible facilities, classes, programs and activities; promoting inclusion through reasonable accommodations; and striving to make the recreational experience a positive and successful one for all. If an individual requires assistance in order to successfully participate in one of our classes, programs, or activities, an accommodation should be requested. Completion and submission of a Request for Accommodation at least two weeks prior to the beginning of a class, program, or activity, is requested to allow City staff to review the request and make the necessary arrangements to accommodate individuals with disabilities who otherwise meet program eligibility requirements. Inquiries concerning program accessibility and disability accommodation should be directed to the Recreation Inclusion Specialist, Collette Prather, at (480) 782-2709 (voice) or 711 via AZ Relay Service. For more about the ADA and City services, programs, and activities, please see the City's website (chandleraz.gov) or contact Warren White, ADA Coordinator, at (480) 782-3337 or ada.coordinator@chandleraz.gov.



**CITY OF CHANDLER
AMERICANS WITH DISABILITIES ACT
GRIEVANCE PROCEDURE**

The City of Chandler is committed to ensuring that people with disabilities are able to participate in, and benefit from, the full range of public programs, services, and activities offered by the City. To that end, the City is committed to providing meaningful access to municipal facilities, classes, programs, and activities by providing appropriate accommodations to qualified individuals with disabilities.

This Grievance Procedure is established in accordance with the Americans with Disabilities Act (ADA) to ensure the prompt and equitable resolution of complaints. It may be used by anyone who wishes to make a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City. This Grievance Procedure does not apply to employment-related complaints by City employees of disability discrimination. Employment-related complaints are addressed under the City's Personnel Rules, administrative regulations, and policies.

In the event a request for access to programs, services or facilities cannot be resolved, an individual may submit a complaint in accordance with these procedures. The use of these procedures is not a prerequisite to pursuing any other method for making an ADA complaint against a public entity available under the law.

I. THE WRITTEN COMPLAINT

A. This ADA Grievance Procedure 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 Chandler. Employment-related complaints of disability discrimination are handled under the City's Personnel Rules and regulations.

B. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. A standard ADA Grievance Form is available through the City's website, from the City Clerk's office, or by request from the City's ADA Coordinator. Alternative ways of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities when requested.

C. The grievant, or his/her designee, should submit a complaint as soon as possible but no later than 180 calendar days after the alleged violation or incident from which the complaint arises to the City's ADA Coordinator:

Warren White, ADA Coordinator
Mail Address: Mail Stop 405, PO Box 4008, Chandler, AZ 85244
Physical address: 215 E. Buffalo St., Chandler, AZ 85225,
Phone: 480-782-3337 or 711 via AZ Relay Service (AZRS)
E-mail: ada.coordinator@chandleraz.gov

ATTACHMENT B-1

The written grievance may be submitted by U.S. mail, e-mail, or hand delivery.

II. CONSIDERATION OF THE GRIEVANCE

A. Step 1: Investigation by ADA Coordinator

1. Upon receipt of a grievance, the ADA Coordinator will conduct an informal and thorough investigation of the complaint including interviews of the grievant, or grievant's representative, and all relevant City personnel.
2. Within 30 calendar days of receipt of the complaint, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the grievant, such as large print, Braille, or audio tape. The response will explain the position of the City and offer options for resolution of the complaint.

B. Step 2: Appeal to Assistant City Manager

1. If the grievant believes the response by the ADA Coordinator does not satisfactorily resolve the matter, the grievant may appeal the ADA Coordinator's decision to the Assistant City Manager within 15 calendar days after receipt of the ADA Coordinator's response.
2. When possible, the appeal will be reviewed by the Assistant City Manager who has responsibility for the department or subject matter that is the focus of the complaint.
3. The Assistant City Manager will review the ADA Coordinator's decision and the record and, in his/her discretion, may decide to investigate the matter further.
4. The Assistant City Manager will contact or meet with the grievant to discuss the complaint and possible resolutions within 15 calendar days after receipt of the appeal.
5. Within 15 calendar days after the contact or meeting, the Assistant City Manager will provide a response in writing or other format accessible to the grievant.

C. Step 3: Appeal to City Manager

1. If the grievant believes the decision of the Assistant City Manager does not satisfactorily resolve the matter, the grievant may appeal the decision to the City Manager, or designee, within 15 calendar days after receipt of the Assistant City Manager's response.
2. The City Manager will review the complete record of the grievance and, in his/ her discretion, may conduct further investigation of the matter.
3. Within 15 calendar days after receipt of the appeal, the City Manager will meet with the complainant to discuss the complaint and possible resolutions.
4. Within 15 calendar days after the meeting, the City Manager will provide a final response to the grievance, in writing, and, where appropriate, in a format accessible to the

ATTACHMENT B-1

grievant. The City Manager's response will constitute the final resolution of the grievance.

D. Designees for City Personnel

The ADA Coordinator, Assistant City Manager, and City Manager may delegate their authority to act under this Grievance Procedure to other City personnel as their designees. The grievant will be informed, in writing, when such a delegation of authority has been made.

E. Authorized Personal Representative

The grievant may be represented throughout the steps of the grievance procedure by a representative authorized by the grievant to represent the grievant's interests. The grievant must inform the City in writing when a representative is authorized to represent the grievant's interests before the City.

F. Deadlines

When the deadline for an action under this Grievance Procedure falls on a weekend or a holiday, the deadline will be extended to the next working day the City Manager's office is open for business. Deadlines for actions to be performed by the City may be extended, in writing, by the City Manager where business necessity warrants or by mutual agreement of the parties. Deadlines for actions to be performed by the grievant may be extended only by mutual consent of the parties.

G. Record Retention

The ADA Coordinator will retain all written grievances received by the City and all appeals to and responses by the City for at least three years.

H. Amendments

This Grievance Procedure may be amended by the City Manager in writing at any time.



Chandler + Arizona
Where Values Make The Difference

City of Chandler, Arizona
chandleraz.gov

ADA Grievance Form

Instructions: Please complete and sign the form, and submit it within 180 calendar days of the incident or decision to which this complaint relates to:

Warren White, ADA Coordinator

Mailing address:

Mail Stop 405, PO Box 4008
Chandler, AZ 85244-4008

Physical address:

215 E. Buffalo St.
Chandler, AZ 85225

1. Type of Grievance (check all that apply):

- Accommodation Request
- Program/Service
- Facility Accessibility
- Other: _____

CONTACT INFORMATION

2. Reporting Individual:

Full Name:	
Address:	
City, State, Zip code:	
Phone:	Alternate Phone:
Email:	

3. Authorized Representative of Reporting Individual (if any):

Full Name:	
Address:	
City, State, Zip code:	
Phone:	Alternate Phone:
Email:	

ATTACHMENT B-2

DETAILS OF COMPLAINT / INCIDENT

4. Date/Time of Incident: _____

5. Department/Facility/Location Involved:

6. Describe the incident/complaint with enough detail so the nature of the grievance can be understood. Add additional pages if necessary:

7. Have attempts been made to resolve the complaint through a City Department? If yes, please describe the efforts that have been made.

8. Remedy Sought. What action do you want taken?

Signature

Date

Attach additional pages as necessary.

If you need assistance, require an accessible format, or have questions about this form, please contact ADA Coordinator, Warren White, at ada.coordinator@chandleraz.gov or 480-792-3337.



City of Chandler, Arizona
 chandleraz.gov

**Disability-Related Request for Barrier Removal/
 Request for Reasonable Modification**

Members of the public who seek a modification to a facility, policy, practice, service, or program of the City of Chandler in order to provide an equitable opportunity for an individual with a disability to participate may make such a request directly to the City department responsible for the program, service, or activity involved or to the City's ADA Coordinator. A request for barrier removal/request for reasonable modification may be made by letter, e-mail, phone call, or by using this form.	
Date of Request:	
Name of Requesting Party or Authorized Representative:	
Street Address:	
City, State, Zip code:	
Phone:	Alternate Phone:
Email:	
Program, Facility, or Activity Involved or Location of Barrier:	
My disability impairs my ability to fully participate in the program/activity in the following way:	
Reasonable Modification(s) Requested (structural or programmatic):	
Please describe how the requested modification relates to the limitation caused by disability:	
I understand that my request will be reviewed and I may be requested to provide additional information before it is processed. I also understand that the City will make every effort to act on my request before the start of a program or activity but delays are possible, particularly when a request is made less than two weeks in advance.	
Signature:	Date:

Attach additional pages as necessary. If you need assistance, require an accessible format, or have questions about this form, please contact ADA Coordinator, **Warren White**, at ada.coordinator@chandleraz.gov or **480-792-3337**.