

# 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 Spokane Valley will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

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

*Effective Communication:* The City of Spokane Valley 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 Spokane Valley's programs, services, 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 Spokane Valley will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy its programs, services, and activities. For example, individuals with service animals are welcomed in The City of Spokane Valley 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 Spokane Valley, should contact the office of Ken Thompson as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Spokane Valley 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 Spokane Valley is not accessible to persons with disabilities should be directed to:

John Whitehead  
11707 E. Sprague Ave.  
Suite 103  
Spokane Valley, WA 99206

The City of Spokane Valley 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.



**Administrative Policy & Procedure No. 200.055  
Americans with Disabilities Act (ADA) Grievance  
Procedure**

**1. Policy**

Pursuant to title II of the Americans with Disabilities Act (ADA) and corresponding federal regulations, the City, in its services, programs, and activities, adopts grievance procedures for discrimination against qualified individuals with disabilities on the basis of disability.

**2. References**

- a) Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. § 12101 et seq.
- b) 28 C.F.R. § 35.107

**3. Description and Implementation**

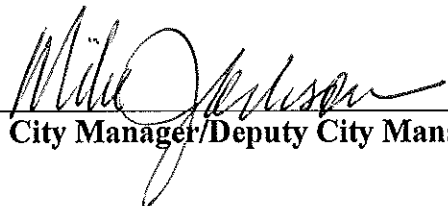
- a) **Overview.** These procedures cover complaints filed under the Americans with Disabilities Act of 1990, relating to any program, facility or activity managed by the City of Spokane Valley. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination or unaccommodated barriers to access. Effort will be made to resolve complaints informally at the city level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution. Intimidation or retaliation of any kind is prohibited by law.
- b) **Complaint Requirements.**
  - i) **Who May File.** Any individual, group of individuals or entity that believes they have been discriminated against on the basis of disability or faced unaccommodated barriers to access as defined by the ADA may file a complaint.
  - ii) **Format and Content.** The complaint must 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. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities.
  - iii) **When and where to File.** The complaint should be submitted as soon as possible but no later than 60 calendar days after the alleged violation. It must be submitted to:

John Whitehead, Citywide ADA Coordinator  
11707 E. Sprague Ave.  
Suite 103  
Spokane Valley, WA 99206

- c) **Procedure after Complaint Is Received.**
- i) **Ensuring Complaint Jurisdiction and Sufficiency.** After receiving the written complaint, the Citywide ADA Coordinator, in consultation with other city offices, will determine its jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. If the complaint is incomplete, the ADA Coordinator will promptly notify the complainant what must be done for a complete complaint.
  - ii) **Providing Respondent Complaint Information.** Once a complete complaint is received, the ADA Coordinator will provide the City department responsible and the respondent (subject of complaint) the complaint information within 5 calendar days.
  - iii) **Respondent's Opportunity to Respond.** The city will provide the respondent with the opportunity to respond in writing to the allegations. The respondent will have 10 calendar days after receiving the notice of the complaint to furnish the city with a written response to the allegations.
  - iv) **Investigative Report.** Within 60 days of receipt of the original, completed complaint, the ADA Coordinator will prepare a written investigative report for the appropriate department director, the Deputy City Manager, and the City Manager. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The recommendation shall be reviewed by the City Attorney's office, which may discuss the report and recommendations with the ADA Coordinator and other appropriate departmental staff. The report will be modified as needed and finalized for its release to the parties.
  - v) **Notification of Decision.** Once the investigative report becomes final, briefings will be scheduled with each party within 15 days. Both the complainant and the respondent shall receive a copy of the report during the briefings and will be notified of their respective appeal rights.
- d) **Filing a Complaint with the US Department of Justice.** The complainant may file a complaint with the US Department of Justice. "A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the designated agency for good cause shown." 28 C.F.R. § 35.170(b). This is not an appeal, but a separate legal action available independent of the City's grievance procedures.
- e) **Log of Complaints.** The ADA Coordinator will maintain a log of complaints. This log will keep complaints for at least six years and will

contain the following information for each complaint filed:

- i) The name and address of the person filing the complaint
- ii) The date of the complaint
- iii) The basis of the complaint
- iv) The disposition of the complaint
- v) The status of the complaint

  
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City Manager/Deputy City Manager

## **NOTICE OF GRIEVANCE PROCEDURES 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 Spokane Valley provides grievance procedures for qualified individuals who believe that in the City's services, programs, or activities, they have been discriminated against on the basis of disability.

*Overview.* These procedures cover complaints filed under the Americans with Disabilities Act of 1990, relating to any program, facility or activity managed by the City of Spokane Valley. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination or unaccommodated barriers to access. Effort will be made to resolve complaints informally at the city level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution. Intimidation or retaliation of any kind is prohibited by law.

Any individual, group of individuals or entity that believes they have been discriminated against on the basis of disability or faced unaccommodated barriers to access as defined by the ADA may file a complaint. The complaint must 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. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities. The complaint should be submitted as soon as possible but no later than 60 calendar days after the alleged violation. It must be submitted to:

John Whitehead, Citywide ADA Coordinator  
11707 E. Sprague Ave.  
Suite 103  
Spokane Valley, WA 99206

*After Complaint Is Received.* After receiving the written complaint, the Citywide ADA Coordinator, in consultation with other city offices, will determine its jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. If the complaint is incomplete, the ADA Coordinator will promptly notify the complainant what must be done for a complete complaint. Once a complete complaint is received, the ADA Coordinator will provide the respondent the complaint information within 5 calendar days.

*Respondent's Opportunity to Respond.* The city will provide the respondent with the opportunity to respond in writing to the allegations. The respondent will have 10 calendar days after receiving the notice of the complaint to furnish the city with a written response to the allegations.

*Investigative Report.* Within 60 days of receipt of the original, completed complaint, the ADA Coordinator will prepare a written investigative report for the appropriate department director, the Deputy City Manager, and the City Manager. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The recommendation shall be reviewed by the City Attorney's office, which may discuss the report and recommendations with the ADA Coordinator and other appropriate departmental staff. The report will be modified as needed and finalized for its release to the parties.

*Notification of Decision.* Once the investigative report becomes final, briefings will be scheduled with each party within 15 days. Both the complainant and the respondent shall receive a copy of the report during the briefings and will be notified of their respective appeal rights.

*Filing a Complaint with the US Department of Justice.* The complainant may file a complaint with the US Department of Justice. "A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the designated agency for good cause shown." 28 C.F.R. § 35.170(b). This is not an appeal, but a separate legal action available independent of the City's grievance procedures.

*Log of Complaints.* The ADA Coordinator will maintain a log of complaints. This log will keep complaints for at least six years and will contain the following information for each complaint filed: 1) the name and address of the person filing the complaint; 2) the date of the complaint; 3) the basis of the complaint; 4) the disposition of the complaint; 5) the status of the complaint.