



Town of Randolph, Massachusetts

PART B – Evaluation of Non-discriminatory Policies & Practices in Programs, Services & Activities

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Introduction

In an effort to provide and maintain compliance with the American with Disabilities Act (ADA), the Town of Randolph contracted with the Institute for Human Centered Design (IHCD) to undertake a comprehensive assessment of its policies, practices and procedures as well as its facilities to determine compliance with the requirements of the Americans with Disabilities Act (ADA). The review and recommendations provided in this assessment also go beyond strict compliance assessment to recommend enhancements to current conditions that would result in a more usable, inclusive and welcoming environment for members of the Randolph community.

Information about corrective action will include recommendations based on Title II of the ADA for each aspect that requires action, as well as recommended “*best practices*”.

The assessment included nondiscrimination in policies, practices and procedures for all of the Town’s programs, services and activities including those related to effective communication and policies, practices and procedures relative to employment.

Corrective action is needed in policies and procedures to create written policies that would ensure the Town of Randolph’s compliance with applicable laws. In addition, the Town may wish to consider making a commitment to a more accessible website. Choosing to make the website completely accessible would make it available to site visitors who use assistive technology such as screen readers as well as to website visitors with a mix of other functional limitations. The website is also a valuable asset in communicating the Town’s commitment to equal opportunity for people with disabilities through a clear statement and contact information for the ADA Coordinator. It can also provide a helpful opportunity to share information about accessible routes to reaching the Town’s programs and activities including meetings and requesting effective communication or modification of policies.

This report summarizes IHCD’s findings of ADA Title II compliance. The information pertinent to this assessment was obtained by an online ADA questionnaire developed by the Institute for Human Centered Design (IHCD) and submitted by departments from the Town of Randolph and from the Town’s website. IHCD received nine (9) department questionnaire responses.

This mix of sources constitutes the basis for this compliance assessment report. It is clear that the Town understands many of its obligations under Title II of the ADA, but additional steps are necessary to ensure that people with disabilities enjoy the same opportunities to participate in its programs, services and activities as Randolph residents without disabilities.

Analysis

Title II of the ADA prohibits discrimination on the basis of disability. Specifically, Title II requires that:

No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity (28 CFR Part 35.200 (a)).

This report is divided into sections where these requirements apply. Each section includes the applicable citation from Title II of the ADA; IHCD's summary of findings after reviewing answers from the ADA questionnaire and information from the website and other previously mentioned sources. It also includes IHCD's recommendations for the Town of Randolph to implement.

I – Designation of Responsible Employee

Title II of the ADA makes clear that a public entity that employs 50 or more persons must designate a responsible employee and adopt grievance processes:

A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph. (28 CFR Part 35.207 (a)).

Title II provides little specific guidance for implementing this requirement but the primary role of the designated employee, also called the ADA Coordinator, is making sure that the Town is in compliance with the ADA.

Findings

The Town of Randolph has not assigned a responsible employee(s) to coordinate its obligations under the ADA. On the Town's website, Inspectional Service is identified as the department responsible for physical access including compliance with the 2010 ADA Standards for Accessible Design. The Town's

website and the nine (9) survey respondents did not identify the name of an employee responsible for addressing reasonable modification requests and grievances as required by the ADA. Compliance responsibilities may be assigned to one staff person or may be divided among a few departments and/or staff, but the designated staff must be clearly identified.

Recommendations

The Town should designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities Under Title II of the ADA. Once an employee has been designated as the ADA Coordinator, the Town should consider identifying for its entire community, including Town employees: the name, phone number, email address and scope of responsibilities of the ADA Coordinator(s) or other controlling authority; the process for submitting an ADA grievance; the process for requesting an accommodation or modification of Town policies; and how employees should address requests when they receive them. Include for example, the ADA Coordinator’s contact information on the Human Resources webpage, in every building open to the public and on public meeting notices.

Furthermore, having an ADA Coordinator with clear role and responsibilities will:

- Make it easier for the Town to be proactive in meeting the needs of members of the public with disabilities.
- Help the Town to develop and articulate a clear vision and mission with regard to members of the public with disabilities.
- Reduce confusion and improve the Town’s day-to-day operations with respect to members of the public with disabilities.
- Permit employees to respond more quickly to needs as they arise because they can identify a primary contact for addressing their concerns.
- Build in-house expertise and capacity.
- Prevent confusion and help ensure that candidates for employment, employees, and the public have a clear understanding of their responsibilities and rights under the ADA.

II – Grievance Procedures

Title II of the ADA requires a public entity to adopt an adequate grievance process:

A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part. (28 CFR Part 35.207 (b))

Findings

Within the employee handbook, the Human Resources Department has included a formal Grievance Procedure that includes contacting the Town Manager to file a complaint. The Town does not have a formal well-publicized Grievance Procedure for members of the public though as one survey respondent indicated “residents can report potholes and down wires through the Town’s website”, a convenient option for people. Seven (7) of the nine (9) survey respondents are not aware of a formal or informal Grievance Procedure. When asked if they have a Grievance Procedure, respondents indicated “no” or “unsure” or “I don’t know.” One department doesn’t offer public programming, The Town can adopt one Grievance Procedure for both employees and the public or two separate policies. The Grievance Procedure is an invitation to have a conversation and opportunity to resolve complaints. With a good Grievance Procedure, a person feels heard. [see Grievance Procedures sample]

Recommendations

The Town should take steps to adopt, clarify and post its Grievance Procedure for members of the public and Town employees. The Town could decide to adopt the Grievance Procedure from the Human Resources Department as the Town-wide procedure. A separate policy is not required by the ADA.

IHCD recommends the following:

- Adopt a formal Grievance Procedure that includes the name and contact information of the ADA Coordinator, steps a person should follow and an appeal process.
- Distribute the Grievance Procedure to all department heads, and post copies of it in noticeable locations in each of the Town’s public buildings.
- Ensure Town employees and the public are aware of the Grievance Procedure process and that Town employees can provide information to members of the public about the process when appropriate.
- Post the Grievance Procedure on the Town’s website.
- Ensure good record keeping for all complaints submitted and documentation for steps taken towards resolution. Maintain records for a reasonable length of time.

III – Notice

Title II of the ADA requires that public entities notify participants of its non-discrimination policies:

A public entity shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of this part and its applicability to the services, programs, or activities of the public entity, and make such information available to them in such

manner as the head of the entity finds necessary to apprise such persons of the protections against discrimination assured them by the Act and this part. (28 CFR Part 35.206)

Findings

Within the employee handbook and on the Town’s employment application, the Human Resources Department has included a nondiscrimination statement. The Randolph Public Schools website also includes a statement of nondiscrimination. However, from the responses submitted by staff it seems that the Town of Randolph does not have a uniform policy regarding the posting of ADA Notice for members of the public. When asked, two (2) survey respondents indicated that an ADA Notice is on job poster and one respondent indicates that their department doesn’t provide programs to the public. However, six (6) respondents indicated that the ADA Notice is “not posted” or “unsure of” or “no.” Another respondent indicated that library programs that require registration include a question on the registration form about whether or not there is anything staff should know, allowing for participants to specify accommodation requests.

The Town of Randolph is a diverse community focused on inclusion as described by the Intergeneration Community Center’s mission – *“The Randolph Intergenerational Community Center is a gathering place for Randolph residents of all ages. Our mission is to provide quality and enriching fitness, sports, educational, cultural and intergenerational experiences. Our programs and services are designed with a focus on the diverse physical, social, and emotional needs of the residents of Randolph.”* Consider adding a statement If you need an accommodation in order to participate, please contact [Include the name of the ADA Coordinator].

Recommendations

The Town should take steps to clarify the posting of the ADA Notice to comply with the ADA Title II that states that public entities shall take initial steps to notify program/service participants, beneficiaries and employees of its obligations.

Furthermore, by adopting a uniform policy, the Town of Randolph has an opportunity to share information with the community. For example, the Town informs the community about upcoming meetings and other happenings through the Town’s websites, meeting agendas, and social media. These communications are opportunities to include a short ADA Notice of Nondiscrimination. [see ADA Notice sample].

In addition, IHCD recommends:

- Publish the ADA Notice in the materials and communications distributed by the Town (e.g., reports, contracts, agendas, meeting notes, applications, social media, etc.).
- Post copies in public locations in the Town’s municipal buildings.
- Distribute the ADA Notice to all department heads. Copies should also be provided in alternate formats, to any person upon request.
- Post the ADA Notice on the Town’s website and other webpages associated with the town.
- Once an employee has been designated as the ADA Coordinator, include his/her name, title, address, telephone number and email address on materials and publications that contain general information disseminated to staff and members of the public.

IV – Reasonable Modification of Policies, Practices and Procedures

Title II of the ADA requires state and local governments to modify its policies when necessary to avoid discrimination:

A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. (28 CFR Part 32.200 (b)(7))

Findings

From the responses from the ADA questionnaire, it looks like many respondents are not aware of a formal process nor have the departments developed a department-specific reasonable modification process. This was the case for seven (7) out of nine (9) respondents. The employee handbook has a nondiscrimination statement; the website has a web access statement; and Turner Library has a statement on race and social equity. From the responses received from the ADA Online Questionnaire, there is no evidence that the Town has failed to provide reasonable modifications to the public. Staff are able and willing to assist community members as needed. We would recommend that the Town develop and publicize a process for requesting reasonable modifications.

Recommendations

The Town should develop written policies and procedures for providing reasonable modifications to ensure compliance with the ADA.

IHCD recommends:

- Develop written policies and procedures to ensure compliance with the ADA.

- Develop written policies and procedures that address maintaining or providing an accessible route through temporary events or incidents. Examples include providing an accessible route around construction sites, providing an accessible route to and throughout temporary events, requiring businesses that provide outdoor dining to maintain the accessible route, maintain an accessible route after a snow storm and a method to deal with objects such as cars and trash cans that become fixtures on the sidewalks blocking the accessible route. Consider creating a system for citizens to report issues as they arise and a method for the town to address the reported issue
- Ensure that Town employees can provide information to members of the public about the process of requesting reasonable modification of policies when appropriate.
- Once an employee has been designated as the ADA Coordinator, include his/her name, address, telephone number and email and the process for requesting reasonable modifications on materials and publications that contain general information disseminated to staff and members of the public.
- Post the process for requesting reasonable modifications on the Town’s website.
- Ensure staff is trained to provide assistance upon request.

IHCD through its New England ADA Center, can provide training for the Town of Randolph on the Town’s ADA obligations. The training would include the administrative requirements and providing reasonable modifications. This training would be appropriate for department heads and public-facing Town staff. The training would build confidence about rights and responsibilities and building capacity within the Town to comply with this important element of the ADA.

V – Eligibility Criteria

A Title II entity may not impose eligibility criteria that may prevent a person with a disability from participating in its programs, services or activities:

A public entity shall not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered. (28 CFR Part 35.200 (8)).

This requires that ADA Title II entities may not impose eligibility criteria that either screen out persons with disabilities, unless it can show that such requirements are necessary for the provision of the service, program or activity.

Findings

Several programs within the Town of Randolph have eligibility criteria. To access the transportation service, people must be at least 60 years old and residents. For other programs there is an associated fee or membership that must be paid before a person can participate. These requirements might be necessary for the provision of the service, program or activity, and are permitted under the ADA.

There are also eligibility criteria for positions listed in the job descriptions for the Town, but they are consistent with the requirements regarding employment.

VI – Employment and Reasonable Accommodations

Title II of the ADA prohibits discrimination on employment on the basis of disability:

No qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity. (28 CFR Part 35.140 (a)).

Under the ADA, an employer has to provide reasonable accommodations to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship (significant difficulty or expense). A reasonable accommodation may include modifying work schedules, job restructuring, and making facilities used by employees readily accessible to employees with a disability.

Findings

The Town of Randolph includes a nondiscrimination statement within the Employee Handbook and on the Town's job application. Eight (8) survey respondents are aware of the Town's Nondiscrimination policy. Seven (7) of the survey respondents are aware of a reasonable accommodation process. Five (5) survey respondents are aware of a nondiscrimination policy in the administration of tests.

From the responses received from the ADA questionnaire, there is no evidence that the Town has failed to provide reasonable accommodations to its employees.

Recommendations

- Provide information on the ADA and who to contact regarding reasonable accommodation requests for job applicants and municipal employees on the Human Resources webpage and provide a direct link to the Grievance Procedure.

- Within the Employee Manual, clearly state the contact information for the ADA Coordinator, the process for requesting reasonable accommodations and information on the Grievance Procedure.
- Include an Equal Employment Opportunity Statement on the Human Resources webpage.
- IHCD recommends that Town of Randolph employees familiarize themselves with the excellent, free, national resources from the Job Accommodation Network (JAN) (<https://askjan.org>).

VII – Effective Communication through Auxiliary Aids and Services

Title II entities are required to provide appropriate auxiliary aids and services to ensure “*effective communication*” with people with disabilities. This obligation applies to all members of the public with disabilities including job applicants, program participants and people who are seeking information about the Town’s programs, services or activities. Specifically, Title II requires that:

A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others. (28 CFR Part 35.200 (a)).

Auxiliary aids and services are devices or services that enable effective communication for people who have vision, hearing, or speech disabilities (communication disabilities), or use different ways to communicate. The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the length and complexity of the communication involved (e.g., a query at a service counter in the Town offices, a staff meeting, a job description, etc.).

The obligation to communicate effectively with people who have disabilities applies to the presentation and exchange of information in all forms including sound, print, graphics and voice. Furthermore, this requirement may include but is not limited to providing sign language interpreters, telephone handset amplifiers, Telecommunication Devices for Deaf persons (TDD’s), note takers, written materials for persons who are deaf or hard of hearing or transcripts, braille, digital or audio information for persons who are blind or have difficulty seeing.

The decision about which auxiliary aid is appropriate should evolve from a consultation between the ADA Title II entity (Town of Randolph) and individuals with disabilities wherever possible to ensure effective communication. In many cases, more than one type of auxiliary aid or service may make effective communication possible. While consultation is always strongly encouraged to achieve effective communication, the Town of Randolph is required to give primary consideration to the requests of individuals with disabilities. The effective communication obligation does not require the

Town to take any action that would result in a fundamental alteration in the nature of its services, programs or activities or that would impose an undue financial and administrative burden.

Findings

There is no evidence that the Town has failed to provide effective communication when required. But from the department responses, it seems that clarifying procedures for providing effective communication could be beneficial. Several respondents indicated a willingness to work with someone one-on-one. A couple of respondents also have knowledge of the website accessibility tools, which they use to improve access when there is need by a member of the public.

Some of the videos that IHCD reviewed have captions. It is important to note that several respondents expressed a desire for guidance on how to provide information in an accessible manner, which should be seen as an opportunity for the Town of Randolph to provide a training on this subject.

Recommendations

The Town should maintain and publicize clear processes for members of the public and employees to request auxiliary aids and services:

- Distribute the Effective Communication Notice to all department heads; publish it in a local newspaper of general circulation serving the Town; in all materials regarding the Town’s programs, services or activities and on the Town’s website home page, and social media. Copies should also be posted in prominent locations in the Town’s public buildings.
- Staff should clearly understand the responsibility to provide auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity. (28 CFR Part 35.153 (b)). Staff should also clearly understand the process for requesting auxiliary aids and services when needed.
- Staff needs to understand the scheduling time necessary in requesting a sign language interpreter or a Computer-Assisted Real Time Interpreter (CART) through the Commission for the Deaf and Hard of Hearing or another provider. Interpreters must be qualified.

Note: A “qualified” interpreter means someone who is able to interpret effectively, accurately, and impartially, both receptively (i.e., understanding what the person with the disability is saying) and expressively (i.e., having the skill needed to convey information back to that person) using any necessary specialized vocabulary.

- Members of the public also need to have a clear understanding of the process for requesting auxiliary aids and services and the time period in which a request should be made. This is especially true if it involves ASL interpreters, CART, or special equipment such as assistive listening devices that may need to be rented. This information should be included in the general information for the public as well as on the Town’s website.
- Ideally, the Town should develop a system for training staff to meet these responsibilities especially knowing the processes for securing braille, making large print, other types of accessible formats, understanding how to request interpreters and the length of time needed prior to an event. It is also important that staff know how to use and maintain the assistive listening systems and other special devices for effective communication with people with disabilities.
- In determining what type of auxiliary aid or service is necessary to comply with Title II of the ADA, the Town should give primary consideration to the expressed preference for a particular auxiliary aid or service by deaf and hard of hearing individuals. Primary consideration means that the Town of Randolph will inquire as to the choice of auxiliary aid or service of the person with a disability and will honor the expressed choice unless the Town can demonstrate that another equally effective means of communicating is available.

IHCD, through its New England ADA Center, can provide training for the Town of Randolph on effective communication that would be appropriate for department heads and public-facing Town staff in order to build confidence about rights and responsibilities and building capacity within the Town to comply with this important element of the ADA.

Sample of Effective Communication request:

“The Town of Randolph is committed to the full participation of people with disabilities. Any person with a disability who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in the Town’s programs, services, activities and committee meetings, should contact the office of the ADA Coordinator (Name, Address, Phone number and Email) as soon as possible but no later than 48 hours before the scheduled event.” (*if the Town needs 2 or 3 weeks or longer to ensure an interpreter, then it must be clearly stated).*

- Ensure that information and resources at each department interacting with the public are available in an accessible format. That could be done by having a large print sign at each department and on each department’s portion of the website stating:
“All of our materials are available, upon request, in accessible format such as audio, large print or braille.”

- Ensure that staff interacting with the public is fully trained on how to respond to TTY/Video calls and relay calls for telephone communications with people who are deaf, have difficulty hearing or have speech disabilities.

Even though there is a fundamentally changed pattern among people who are deaf or hard-of-hearing in relation to communication technology, TTY remains a compliance requirement. Because of these advances in communication technology, some people who are deaf and people with speech disabilities no longer have TTYs in their homes and rely instead on instant messaging, text messaging, email, or the video communication features of computers.

- Ensure that the Town’s website and other web-based services are accessible to people with disabilities. It is the Department of Justice position that when services are provided on a website, those services too must be made accessible. (see www.ada.gov/mclennan_pca/mclennan_sa.html *Section K on Web Based Services and Programs*)
- To avoid any Information and Communication Technology (ICT) issues, the Town of Randolph should commit to fixes and maintenance of the website accessibility. All staff should undergo training on accessibility best practices for posting web content and creating accessible documents. All third-party software should be properly vetted for compliance with WCAG 2.0 AA and section 508 of the Rehabilitation Act.
- Ensure that all the fillable forms on the Town’s website are accessible to people with disabilities. IHCD recommends providing web forms or accessible fillable PDF’s for all the forms available on the Town’s website.
- Ensure that all the videos available on the Town’s website and social media are captioned.
- Include alternative text descriptions for all photographs and images available on the Town’s website and social media.
- Provide podcast transcripts upon requests.
- Additionally, under Title II of the ADA, emergency programs, services and activities must be accessible to people with disabilities. Ensure that the Town takes the necessary steps to effectively communicate with people with disabilities and make the emergency plan available on the Town’s website and update the emergency procedure as often as is necessary.

Also, it is the Department of Justice position that police stations provide sign language interpreters in a timely manner when requested.

- Non-scheduled Interpreter Requests: A “non-scheduled interpreter request” means a request for an interpreter made by a detainee, visitor, companion, or other member of the public, who is deaf or hard of hearing with less than two (2) hours advanced notice. For non-scheduled interpreter requests, the interpreter shall be provided no more than two (2) hours from the

time of the request for an interpreter if the service is provided through a contract interpreting service or a staff interpreter who is located off-site or 30 minutes from the request for an interpreter if the service is provided through a Video Remote Interpreting service.

- **Scheduled Interpreter Requests:** A “scheduled interpreter request” is a request for an interpreter made two (2) or more hours before the services of the interpreter are required. For scheduled interpreter requests, the Police Department will make a qualified interpreter available at the time of the scheduled appointment. If an interpreter fails to arrive for the scheduled appointment, upon notice that the interpreter failed to arrive, the Police Department will immediately use reasonable efforts to call an interpreter service for another qualified interpreter or provide a Video Remote Interpreting service.

VIII – Emergency Preparedness, Evacuation Plans, and Emergency Shelters

While a review of the Town of Randolph’s emergency preparedness, evacuation plans and emergency shelters was not part of this RFP, as evidenced by recent U.S. Department of Justice’s (DOJ) Project Civic Access settlement agreements, DOJ’s views on emergency preparedness, shelters and evacuation plans are critical components of a Town’s responsibilities related to accessibility.

Recommendations

- Visibly post up-to-date floor plans for all buildings.
- Post information about evacuating people unable to use stairs.
- Develop evacuation plans for each facility.
- Ensure that the input and needs of staff and visitors with disabilities are included in all phases of emergency management planning. When developed, involve the participation of members of the municipal Disabilities Commission.
- Ensure that communication with members of the public with disabilities is as effective as communication with any members of the public.
- Make the evacuation procedure available on the Town’s website in an accessible format and update the evacuation procedure as often as necessary.
- As plans are developed or revised, adopt policies to ensure that community evacuation plans enable people with disabilities, including those who have mobility, vision, hearing, or cognitive disabilities, mental illness, or other functional limitations, to safely self-evacuate or to be evacuated by others. Until all emergency shelters are accessible with parking, exterior routes, entrances, interior routes to the shelter area, and accessible toilet rooms serving the shelter area, the Town should identify and widely publicize to the public, including persons with disabilities and the organizations that serve them, the locations of the most accessible emergency shelters.

For more information related to emergency preparedness see the following:

- Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities - <http://www.ada.gov/emergencyprepguide.htm>
- ADA Tool kit: Emergency Management - <http://www.ada.gov/pcatoolkit/chap7emergencymgmt.pdf>
- *FEMA Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters* - http://www.fema.gov/pdf/about/odc/fnss_guidance.pdf

Additionally, IHCD recommends considering engaging the National Fire Protection Association (NFPA) for evacuation training and guidance, providing and load verifying backup power source for elevator to address Functional Needs Support Services (FNSS) emergency shelter needs, installing one or more accessible showers to meet emergency shelter needs and providing backup power for charging batteries for wheelchairs or breathing equipment and refrigeration for medication to meet emergency shelter needs.

Reference List

ADA Action Guide for State and Local Governments:

- www.adaactionguide.org

Department of Justice:

- Americans with Disabilities Act Title II Regulations:
http://www.ada.gov/regs2020/titleII_2020/titleII_2020_regulations.htm
- Making Community Emergency Preparedness and Response Programs Accessible to People with Disabilities - <http://www.ada.gov/emergencyprepguide.htm>

Federal Emergency Management Agency (FEMA):

- FEMA Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters - http://www.fema.gov/pdf/about/odc/fnss_guidance.pdf

Job Accommodation Network (JAN):

- <http://www.askjan.org>

New England ADA Center:

- <https://www.newenglandada.org>

Sample Grievance Procedures

Long

Americans with Disabilities Act Grievance Procedure

This grievance procedure is established to meet the requirements of the ADA. It 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 (Name of Public Entity).

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number, email address of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted as soon as possible, preferably within 60 calendar days of the alleged violation to:

(ADA Coordinator name and contact information).

Within 15 calendar days after receipt of the complaint, (name of ADA Coordinator) will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, (name of ADA Coordinator) will respond in writing, and where appropriate, in format that is accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the (Name of Public Entity) and offer options for substantive resolution of the complaint.

If the response by (name of ADA Coordinator) does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the (Head of Public Entity) or designee.

Within 15 calendar days after receipt of the appeal, the (Head of the Public Entity) or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the (Head of the Public Entity) or designee will respond in writing, and, where appropriate, in a format that is accessible to the complainant, with a final resolution of the complaint.

Short

Americans with Disabilities Act Grievance Procedure

Complaints concerning discrimination on the basis of disability by the (Name of Public Entity) may be sent to (ADA Coordinator name and contact information). (Name of ADA Coordinator) will contact the complaint within 15 calendar days after receipt of the complaint to discuss the complaint and will respond in writing within 15 days of the discussion.

Sample ADA Notice

Long

Americans with Disabilities Act

(Name of Public Entity) does not discriminate on the basis of disability in its services, programs, or activities.

Employment: (Name of Public Entity) does not discriminate on the basis of disability in its hiring or employment practices and complies with the ADA title I employment regulations.

Effective Communication: (Name of Public Entity) will, upon request, provide auxiliary aids and services leading to effective communication for people with disabilities, including qualified sign language interpreters, assistive listening devices, documents in Braille, and other ways of making communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: (Name of Public Entity) will make reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy programs, services, and activities. For example, people with service animals are welcomed in (Name of Public Entity) offices, even where pets and other animals are prohibited.

Requests: To request an auxiliary aid or service for effective communication, or a modification of policies or procedures contact (ADA Coordinator name and contact information) as soon as possible, preferably XX days before the activity or event.

Complaints: Send complaints to (ADA Coordinator name and contact information).

Short

Americans with Disabilities Act

The (Name of Public Entity) does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator as soon as possible, preferably XX days before the activity or event.

A grievance procedure is available to resolve complaints.

Upon request, this notice is available in alternative formats such as large print or Braille.

(ADA Coordinator name and contact information)