

Attachment I Grievance Procedure

This grievance procedure has been adopted to provide for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations, which implement Title II of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act. Grievances should be filed with the City ADA Coordinator Kiel Mangus at:

City of Derby –611 N. Mulberry – Derby, KS 67037-3533.

Phone: (316) 788-1519 Ext. 1273 or TDD (Kansas Relay at 800-735-2966)

Email: kielmangus@derbyweb.com

The Grievance Procedure consists of the following:

- 1) A complaint should be filed in writing (but can be submitted in alternate format due to the needs of an individual's disability), containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations or discriminatory act and include information such as location of incident and date.
- 2) A complaint should be filed within 30 calendar days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which occurred before this grievance procedure was in place, will be considered on a case-by-case basis.)
- 3) An investigation, as may be appropriate, will follow the filing of a complaint and will be conducted by the City's ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- 4) The ADA Coordinator will issue a written determination, as to the validity of the complaint and a description of the resolution, if any, and a copy will be forwarded to the City Manager, along with the original complaint, no later than thirty (30) days after its filing.
- 5) The City ADA Coordinator will maintain the files and records of the City of Derby relating to all ADA grievances/complaints filed.
- 6) The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice at (800) 514-0301 or the Kansas Human Rights Commission. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 7) These rules will be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of Derby complies with the ADA and implementing regulations.

This information is available in alternate format and the grievance can be submitted in an alternate format.