

Resolution #2016-02

RESOLUTION ON COMPLAINT/GRIEVANCE PROCEDURES UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

WHEREAS, the Town of Corydon wishes to establish a formalize process for dealing with complaints/grievances concerning the Americans With Disabilities Act (ADA); and

WHEREAS, a formalized procedure for dealing with such claims under the ADA will assist the Town of Corydon in providing a better and more consistent response to any claims brought under the ADA; and

WHEREAS, an adopted complaint/grievance procedure is often required as a condition of future grants from federal and state agencies; and

WHEREAS, the Town of Corydon wishes to provide an open and inclusive atmosphere for anyone suffering from a disability and a safe community for all citizens;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Corydon hereby adopts the following procedures for responding and handling complaints/grievances under the Americans With Disability Act:

1. The complaint/grievance should be in writing and contain detailed information about the alleged discrimination including:
 - Full Name of Complainant
 - Address of Complainant
 - Telephone Number of Complainant
 - Location, Date, and Description of the Issue of Concern
 - Personal interviews or audio recording of the complaint may be made available for person with disabilities upon request
2. Complaint/Grievance shall be submitted by the complainant and/or their designee within thirty (30) calendar days after the alleged incident to the Town of Corydon ADA Coordinator.
3. An investigation, if applicable and appropriate as determined by the ADA Coordinator shall be conducted by the ADA Coordinator or its designee. These guidelines will represent thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. Within 15 calendar days of the investigation, the ADA Coordinator, or his/her designee will respond in writing. The response will explain the position of the Town of Corydon and options for substantive resolution of the complaint.
5. If the response of the ADA Coordinator, or his/her designee, does not satisfactorily resolve the issue, the complainant and/or his/her representative may appeal the decision within thirty (30) calendar days after receipt of the response to the Town of Corydon ADA Compliance Committee. The appeal should be in written form describing the initial complaint, the initial response, and the reasons in which the initial response does not satisfactorily resolve the complaint. Alternative means of filing appeals, such as personal interviews of a tape or audio recording of the complaint, will be made available for persons

with disabilities upon request to the Town. The appeal should be sent to the same address the initial complaint was delivered.

6. The complainant can further request reconsideration of a case in instances where he/she is dissatisfied with the resolutions of the Town of Corydon ADA Coordinator and the Town of Corydon ADA Compliance Committee. In this situation, a request for final reconsideration should be made within thirty (30) working days to the Town Council. The Town Council, if deemed necessary, will render the complainant an agenda item and a description of the resolution. A copy would then be forwarded to the complainant no later than thirty (30) working days after the final appeal is filed with the Town Council.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal agency. Use of this complaint/grievance procedure is not a prerequisite to the pursuit of other remedies. The rules shall be constructed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the Town of Corydon complies with the ADA and implementing regulations.
8. All complaints received by the Town of Corydon, ADA Coordinator and/or his/her designee, as well as appeals to the Town of Corydon ADA Compliance Committee, and responses for the same, will be retained by the Town of Corydon for a minimum of five (5) years.

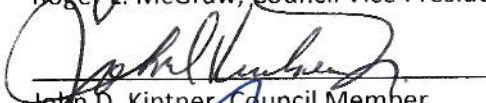
ADOPTED THIS 9th Day of May, 2016.



Eva Bates North, Council President



Roger L. McGraw, Council Vice President



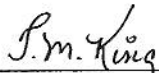
John D. Kintner, Council Member



Chris A. Mattingly, Council Member



Mark L. Parks, Council Member



Attested by: Treggle King, Clerk-Treasurer