

## COUNTY OF SONOMA ADA GRIEVANCE PROCEDURE

1. Purpose. In accordance with Section 35.107(b) of Title 28 of the Code of Federal Regulations, the Board of Supervisors has adopted<sup>1</sup> this formal grievance procedure to address any grievances that allege the County, or any agency or district governed by the same five individuals who sit as the Board of Supervisors (hereinafter “Related Entity”), is not in compliance with Title II of the Americans with Disabilities Act of 1990. This procedure should be followed by anyone who seeks to file a grievance alleging disability discrimination by the County (or a Related Entity) in the provision of County (or Related Entity) services, activities, programs or benefits. This grievance procedure shall not apply to any claims under Title I of the ADA (employment-related complaints of disability discrimination).

2. Role of the ADA Coordinator. An ADA Coordinator position has been established to act on behalf of the County and the Related Entities. The ADA Coordinator is responsible for: (i) monitoring County/Related Entity facilities, programs and services to ensure public accessibility and compliance with ADA Title II requirements; (ii) identifying potential exposure to liability claims related to disability access; (iii) working with appropriate departments and staff in assuring that such facilities, programs and services meet applicable standards for disability access; (iv) investigating claims of facilities, programs or services that deter access by the disabled, (v) conferring with facilities representatives to determine possible actions for mitigation; and (vi) training or supervising the training of County/Related Entity personnel in ADA guidelines, laws, programs, and issues.

3. Procedures for Filing a Grievance.

a. Grievance Form. A grievance shall be made in writing to the ADA Coordinator on a specified form, unless the claimant’s disability prevents him or her from filing a written grievance, in which case alternative means of filing a grievance shall be allowed (e.g., personal interview, tape recording, etc.). The grievance form may be obtained at the office of the ADA Coordinator which is located at:

ADA Coordinator  
County of Sonoma  
Department of Human Resources  
575 Administration Drive, Room 116  
Santa Rosa, CA 95403  
(707) 565-2331

b. Deadline for Filing Grievance. A grievance should be filed with the ADA Coordinator as soon as possible, but no later than sixty (60) calendar days after claimant becomes aware of the alleged violation.

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<sup>1</sup> See Resolution No. 07-0997 [December 4, 2007]

4. Investigation Process. Within fifteen (15) calendar days of receiving the grievance, the ADA Coordinator or his or her designee shall contact the claimant to discuss the grievance and possible resolutions. In the event the ADA Coordinator and the claimant cannot agree upon a satisfactory resolution of the matter, the ADA Coordinator shall issue a determination upon completion of the investigation, in a format accessible to the claimant (e.g., large print, audio tape, Braille). The determination shall include the ADA Coordinator's findings, conclusions and recommendations for any proposed resolution of the matter. The determination of the ADA Coordinator shall be the final decision of the County (or Related Entity) and may not be appealed to the Board of Supervisors

5. Retention of Records. The ADA Coordinator shall maintain files and records of all grievances filed under this grievance procedure for a period of at least four (4) years following the date of the resolution or determination of the grievance by the ADA Coordinator.

6. Other Remedies. The right of a person to a prompt and equitable resolution of the grievance filed under this Grievance Procedure shall 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. Use of this grievance procedure is not a prerequisite to claimant's pursuit of other remedies.