

## **CITY OF GULFPORT GRIEVANCE PROCEDURE UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT**

It is the policy of the City of Gulfport, Mississippi (Gulfport or City) to provide access to its programs and services for persons with disabilities in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA). Oversight of compliance activities is the responsibility of the ADA Coordinator and all inquiries concerning the City's efforts to make its programs, services, and facilities accessible to persons with disabilities should be directed to the ADA Coordinator, James O'Dell, 4050 Hewes Avenue, Gulfport, Mississippi 39501, (228) 868-5740 Ext. 6625 (voice), (228) 868-5822 (fax), or jodell@gulfport-ms.gov (e-mail). The City of Gulfport has established, pursuant to Title II, Section 35.107 (B) of the ADA, the following formal grievance procedure to be used by persons with disabilities to allege violations of the ADA. Individuals are not required by federal regulations to use this grievance procedure, but may file complaints directly with the appropriate federal enforcement agency.

When any person or authorized representative believes that the City has violated Title II of the ADA by denying access to its programs, services, and/or facilities based on a protected disability, a formal grievance may be filed with Gulfport's ADA Coordinator. Again, this Coordinator supervises or oversees the City's overall compliance with Title II of the ADA. Step 1. The grievance should be documented on an ADA Title II Grievance Form (Attachment: a) and should contain as much information as possible concerning the alleged violation. This form must be completed by the grievant or his/her authorized representative. Tape recorders and/or other assistance for persons with visual or motor impairments, and TDD's and/or Qualified Sign Language Interpreters for deaf or hearing impaired persons will be made available through the ADA Coordinator, who may be contacted at 4050 Hewes Avenue, Gulfport, Mississippi 39501, (228) 868-5740 Ext. 6625 (voice), (228) 868-5822 (fax), or jodell@gulfport-ms.gov (e-mail). The grievance should be submitted as soon as possible, but no later than sixty (60) calendar days after the alleged violation. Strict confidentiality of all information provided will be maintained to the extent permitted by law. Sharing of information, including identity, will be done only as needed to resolve the grievance. Step 2. Gulfport's ADA Coordinator will review the completed ADA Title II Grievance Form within ten (10) working days of receipt. The ADA Coordinator will then discuss the issues with the grievant and the concerned department(s), and will initially attempt to resolve the grievance informally. If the ADA Coordinator determines further investigation is warranted, a written notice will be mailed to the grievant within fifteen (15) working days and which notifies the grievant of such further investigation. If appropriate, the ADA Coordinator may also arrange to meet with the grievant to discuss the matter and possible resolution. Within ninety (90) calendar days after such written notice of further investigation is sent, the ADA Coordinator will respond in writing and, where appropriate, will do so in a format accessible to the grievant. If the ADA Coordinator's response does not satisfactorily resolve the matter, the grievant and/or authorized representative may appeal the decision of the ADA Coordinator within thirty (30) calendar days after receipt of the ADA Coordinator's response to the Chairperson of the ADA Grievance Appeals Committee (ADAGAC). Within thirty (30) calendar days after receipt of the appeal, the Chairperson, the Chief Building Inspector with the City of Gulfport, will convene a meeting of the Committee, either by telephone or in person, to

discuss the matter and possible resolution with the grievant. In addition to the City's Chief Building Inspector, the Committee will consist of a member of the disabled community who serves on the Mayor's Disability Awareness Committee, the Court Administrator for the Municipal Court for the City of Gulfport, the Director of the City's Department of Leisure Services or their designee, and the City's Chief of Police or their designee.

Within thirty (30) calendar days after this meeting, the Chairperson of the Committee will respond in writing and, where appropriate, in a format accessible to the grievant. If the grievant is dissatisfied with the response of the ADA Grievance Appeals Committee, he/she may contact the U.S. Department of Justice (DOJ), the U.S. Department of Fair Employment and Housing (DFEH), the Equal Employment Opportunity Commission (EEOC), or seek private counsel.

This Grievance Procedure will be posted in prominent locations in major City facilities. Upon request, it will be made available in alternative formats by contacting Gulfport's ADA Coordinator, James O'Dell, who may be contacted at 4050 Hewes Avenue, Gulfport, Mississippi 3950, (228) 868-5740 Ext. 6625 (voice), (228) 868-5822 (fax), or jodell@gulfport-ms.gov (e-mail).

Gulfport's ADA Coordinator and ADA Grievance Appeals Committee will maintain all written grievances received by them, and responses from the ADA Coordinator and ADA Grievance Appeals Committee for a period of three (3) years.

Revised June 22, 2016