

MADISON COUNTY, INDIANA
AMERICANS WITH DISABILITIES ACT
TITLE II GRIEVANCE PROCEDURES

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), Madison County will not discriminate against qualified individuals with disabilities on the basis of disability in its access to services, programs or activities.

Employment: Madison County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations as outlined by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: Madison County will, upon request, provide appropriate aids and services leading to effective participation for people with disabilities to participate equally in Madison County's programs, services and activities. Anyone who requires an auxiliary aid or service for effective participation or modification of policies or procedures to participate in a service, program, or activity, contact the office of the Title VI/ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Modifications of Policies and Procedures: Madison County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services and activities. The Americans with Disabilities Act does not require Madison County to take any action that would fundamentally alter the nature of its services or programs or impose an undue financial or administrative burden to Madison County. Complaints regarding a service, program or activity of Madison County that is not accessible to person with disabilities should be directed to the Title VI/ADA Coordinator.

Madison County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public, but are not accessible to persons who use wheelchairs.

Procedures: Madison County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U S Department of Justice regulations implementing Title II of the Americans with Disabilities Act ("ADA"). Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs, services, or activities sponsored by a public entity".

Step One: File the Grievance

Complete the Madison County Grievance Form. Grievance Form can be found on Madison County's website (www.madisoncounty.in.gov) or in the Title VI/ADA Coordinator's office. A grievance may be communicated in writing, by e-mail, by fax or by telephone, but must follow the format provided on the Grievance Form.

A grievance concerning the accessibility of Madison County services, programs or activities should be addressed to:

Melinda Neeley, Human Resources Director, Title VI/ADA Coordinator,
16 E 9th Street, Anderson, IN 46016,
765-641-6478, Fax 765-641-9578 email: hr@madisoncounty.in.gov

Step Two: Acknowledgement

A grievance should be filed within 90 days after the grievant party becomes aware of the alleged violation. The Title VI/ADA Coordinator will send an acknowledgement of receipt of the grievance within 12 working days.

Step Three: Informal Resolution

Following the filing of a grievance, the Title VI/ADA Coordinator shall determine whether, and to what extent, an investigation of the grievance is warranted. Any resulting investigation shall be conducted by the Title VI/ADA Coordinator or his/her designee. A thorough investigation affords all interested persons and their representatives an opportunity to submit evidence relevant to a grievance. The Title VI/ADA Coordinator will complete the investigation within 60 calendar days of receipt of the grievance. If appropriate, the Title VI/ADA Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance shall be documented in the Title VI/ADA Coordinator file and the case will be closed.

Step Four: Written determination

If an informal resolution of the grievance is not reached in Step 3, within 60 calendar days of receipt of the grievance, a written determination as to the validity of the complaint, and description of the resolution, if appropriate, shall be forwarded by the Title VI/ADA Coordinator to the Executive Officer and/or Elected Official for approval.

Step Five: Final determination and resolution

The Title VI/ADA Coordinator shall communicate the determination and resolution to the grievant within 90 calendar days of receipt of the grievance, unless the Executive Officer and/or Elected Official authorizes additional time for further consideration of the grievance. Any authorized extension of time will be communicated to the grievant. Any request for reconsideration of the response to the grievance shall be at the discretion of the Executive Officer and/or Elected Official.

If the grievant is not satisfied with Madison County's handling of the grievance at any stage of the process, or does not wish to file a grievance through Madison County's Title VI Grievance Procedures, the grievant may file a complaint directly with the U. S. Department of Justice or other appropriate state or federal agency. Use of Madison County's grievance procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the complaint; the nature of the services accessed, programs, or facilities at issue, the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the service, program or facility, or cause an undue hardship to Madison County. Accordingly, the resolution by Madison County of any one grievance does not constitute a precedent upon which Madison County is bound or upon which other complaining parties may rely.

File Maintenance: The Madison County Title VI/ADA Coordinator shall maintain ADA Grievance files for three years.