

## RESOLUTION No: 288

### Resolution to Adopt SECTION 504 and ADA COMPLAINT RESOLUTION PROCEDURES

Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990* (ADA) provide comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services and programs, and telecommunications. Title II of the ADA 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 subject to discrimination in programs or activities sponsored by a public entity.

The **Town of Stevensville** has adopted this complaint procedure to provide prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA.

Any individual who believes that she/he or a specific class of individuals with disabilities has been subjected to unlawful discrimination on the basis of that disability by the **Town of Stevensville** or any of the **Town of Stevensville's** contractors or suppliers may, by himself or herself or by an authorized representative, file a written complaint.

Complaints or questions should be addressed to: **Mayor, Town of Stevensville, 206 Buck Street, Stevensville, MT 59870, 406-777-5271, TDD # (406) \_\_\_\_\_ - \_\_\_\_\_**. Montana Relay System for the Deaf: Dial 711 or 1-800-253-4091 to use Montana Relay. The **Mayor** has been designated to coordinate compliance with Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*.

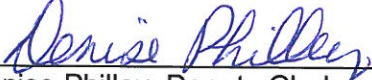
1. The complaint must be filed in writing and contain the name, address, and telephone number of the individual or representative filing the complaint; a description of the alleged discriminatory action in sufficient detail to inform the department of the nature and date of the alleged violation; the signature of the complainant or authorized representative; and a description of the corrective action that is being sought. Complaints filed on behalf of a third party must identify the alleged victims of the discrimination. Complaints may be filed on the attached complaint form.
2. The complaint must be received within 20 calendar days after the alleged violation occurs. This time may be extended, as determined by the Section 504/ADA Coordinator, for good cause shown. Community Development Block Grant (CDBG) Program CDBG / NSP Administration Manual Montana Department of Commerce 2011 5-R.2
3. The **Town of Stevensville** shall promptly conduct an informal investigation of the complaint. Interested parties will be afforded an opportunity to submit information relevant to the complaint.
4. A written response will be issued and a copy forwarded to the complainant no later than 30 calendar days after completion of the investigation.

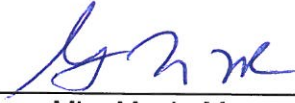
5. The **Town of Stevensville** will maintain the files and records relating to the complaint and its investigation according to the records retention schedule for personnel documents found in Chapter 800, *Montana Operations Manual*, Volume I.

6. Nothing in this complaint resolution procedure shall be construed as preventing an individual from pursuit of other remedies, including filing a formal complaint with the Montana Human Rights Commission, with any federal agency the individual believes is appropriate, or with the U.S. Department of Justice. The time limit for filing a formal complaint is 180 days after the alleged incident. This procedure also does not preclude the individual's right to file a lawsuit in federal district court.

DATED this 22<sup>nd</sup> day of March, 2012.

Attest:

  
Denise Philley, Deputy Clerk

  
Gene Mim Mack, Mayor