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**SUBJECT: AMERICANS WITH DISABILITIES PUBLIC NOTICE AND GRIEVANCE  
PROCEDURE**

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**PURPOSE:** The purpose of this policy is to adopt Americans with Disabilities (ADA) requirements of selecting an ADA Coordinator and adopting Department of Justice Public Notice and Grievance language.

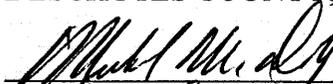
**SCOPE:** All Departments and all County locations.

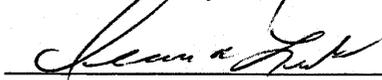
**POLICY:** The County will adopt the attached Americans with Disabilities Grievance Procedure and Public Notice. Deschutes County selects its Risk Manager as the ADA Coordinator.

- A. Public Notice - In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, Deschutes County will not discriminate against qualified individuals with disabilities on the basis of disability in Deschutes County's services, programs, or activities.
- B. Grievance Procedure - The Grievance Procedure attached hereto and incorporated, is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Deschutes County
- C. ADA Coordinator - Deschutes County selects the Risk Manager to Coordinate ADA activities and to serve as the primary contact for ADA issues.

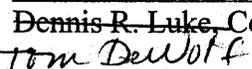
DATED this 27<sup>th</sup> day of October, 2004

BOARD OF COUNTY COMMISSIONERS OF  
DESCHUTES COUNTY, OREGON

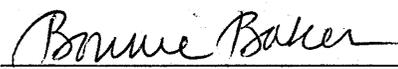
  
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Michael M. Daly, Chair

  
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Tom DeWolf, Commissioner

  
\_\_\_\_\_  
- absent -

  
\_\_\_\_\_  
Dennis R. Luke, Commissioner

ATTEST:

  
\_\_\_\_\_  
Recording Secretary

REVIEWED  
  
\_\_\_\_\_  
LEGAL COUNSEL



## **DESCHUTES COUNTY, OREGON NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, Deschutes County will not discriminate against qualified individuals with disabilities on the basis of disability in Deschutes County's services, programs, or activities.

***Employment:*** Deschutes County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

***Effective Communication:*** Deschutes County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures:*** Deschutes County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service, or activity, should contact the ADA Coordinator at 388-6584 or his/her designee at 617-4747, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Deschutes County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a County program, service, or activity is not accessible to persons with disabilities should be directed to the ADA Coordinator.

Deschutes 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.



# **Deschutes County, Oregon**

## **Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County. The County's Personnel Policies govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the condition or circumstances. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**ADA Coordinator**  
**1300 NW Wall Street, Suite 200**  
**Bend, Oregon 97701**  
**(541) 388-6584 or (541) 617-4747**

Within 15 calendar days after receipt of the complaint, the **ADA Coordinator** or his/her designee will contact or meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the contact, the **ADA Coordinator** or his/her designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the **County** and offer options for substantive resolution of the complaint.

**Disputes:** If the response by the **ADA Coordinator** or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the ADA Coordinator's response within 15 calendar days after receipt of the response to the **County Administrator** or his/her designee.

Within 15 calendar days after receipt of the appeal, the **County Administrator** or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **County Administrator** or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the **ADA Coordinator** or his/her designee, appeals to the **County Administrator** or his/her designee, and responses from these two offices will be retained by the County for at least three years.

Deschutes County prefers that complaints and disputes be filed directly with the County such to expedite a response. However, complaints and disputes can also be filed with:

**Office for Civil Rights  
U.S. Dept. of Health and Human Services  
2201 Sixth Avenue – Mail Stop RX-11  
Seattle, Washington 98121-1831  
1-800-368-1019  
TDD: 1-800-537-7697**

If you are a member of the Oregon Health Plan you have the additional option of:

**Contacting your managed care plan or  
Oregon Health Plan  
Omnibudpersons Office  
1-800-442-5238**