

December 15, 2009

City of Starkville Establishing a Policy and Procedure To Handle Grievances under the Americans with Disabilities Act

In accordance with the ability and authority of the Board of Aldermen of the City of Starkville to adopt procedures and policies to more effectively and efficiently manage its operations and to be in compliance with State and Federal legislative mandates, the Board of Aldermen finds that it is in the best interest of the City of Starkville to adopt a policy regarding the procedures for filing a grievance with the City for discrimination on the basis of disability.

Said policy is intended to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and to ensure fairness to all the residents and citizens of the City of Starkville.

For purposes of this procedure, a grievance shall be defined as any complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the City of Starkville. This procedure may be used by anyone who wishes to file a complaint. The City's Personnel Policy governs 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 problem. 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:

Joyner Williams, Building Official/ADA Coordinator 101 E. Lampkin Street Starkville, MS 39759 (662) 323-8012, ext. 132 Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 10 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print or audio tape. The response will explain the position of the City of Starkville and offer options for substantive resolution of the complaint.

In developing options for resolution of the complaint, the ADA Coordinator will be guided by the requirements of the Americans with Disabilities Act of 1990 ("ADA"); the practicality of the resolution; the cost of the resolution and available funding to pay for the resolution; and the impact of the resolution on other services, activities, or programs of the City of Starkville.

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 decision within 15 calendar days after receipt of the response to the Board of Aldermen. Such appeal should be in writing and shall be submitted to the Chief Administrative Officer for placement on the agenda for the consideration by the Board of Aldermen. Such appeal shall be placed on the agenda of the next board meeting complying with the requirements of the timing for public appearances. Within fifteen (15) calendar days after the meeting before the Board of Aldermen, the ADA Coordinator shall provide a written disposition to the complainant and, where appropriate, shall communicate in a format accessible to the complainant the final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the Board of Aldermen, and responses from these two offices will be retained by the City of Starkville ADA Coordinator for at least three years.