

ALLEN COUNTY

ADA & TITLE VI GRIEVANCE PROCEDURE

Grievance Policy

In accordance with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), Title II of the Americans with Disabilities Act of 1990 (ADA), and applicable amendments, laws, executive orders, and regulations, Allen County will not discriminate against persons based on race, color, national origin, sex, sexual orientation, gender identity, age, religion, income status, limited English proficiency, or disability.

Allen County is committed to ensuring that all people, including individuals with disabilities, are able to take part in and benefit from the variety of public services and activities offered by the County.

Grievance Procedure

Title VI and the ADA require public entities to adopt and publish grievance procedures to assure prompt and equitable resolution of any grievance regarding discrimination. The purpose of this grievance procedure is to resolve as promptly as possible any problems, grievances or conflicts related to the County's compliance without the need for the grievant to resort to other remedies available under the law.

CONTENTS:

1. Who may file a grievance?
2. When should the grievance be filed?
3. What should the grievance include?
4. Where should I file my grievance?
5. What happens after my grievance is filed?
6. When will I receive a response?
7. What happens if I am not satisfied with the response?

1. Who may file a grievance?

An individual who feels that he or she has been subjected to discrimination prohibited by the ADA and/or Title VI may file a grievance. A representative may also file the grievance on the individual's behalf.

2. When should the grievance be filed?

Before filing a grievance, the grievant and/or representative may seek an informal resolution by contacting the applicable County elected official or department head. If the concern is not resolved in a timely fashion, the grievant or representative may file a formal grievance under this procedure.

A grievance should be filed as soon as possible and no later than 90 calendar days of the date of the alleged discriminatory act or practice.

3. What should the grievance include?

A formal grievance should be in writing and contain the following information about the alleged discrimination:

- Name of the grievant,
- Contact information (address, telephone number, e-mail address),
- Basis for the allegation (i.e. race, color, age, disability, etc.),
- A detailed description of the alleged discrimination (who, how, when, where & why you believe you were discriminated against, including the location(s), names(s), and contact information of all witnesses, if applicable),
- Signature of the grievant, and
- Any other information that is deemed significant.

Whenever possible, the Allen County Grievance Form should be used.

Assistance may be given in filing the grievance for people with disabilities. Please contact the Allen County ADA & Title VI Coordinator to request assistance.

4. Where should I file my grievance?

The grievance may be submitted in person or mailed to the ADA & Title VI Coordinator at the following address:

ADA & Title VI Coordinator
Allen County Commissioners' Office
200 E. Berry Street, Suite 410
Fort Wayne, IN 46802

For assistance please call 260-449-7555.

A grievance is considered complete when all necessary information is provided in writing and is signed. The ADA & Title VI Coordinator will notify the grievant in writing if the grievance is incomplete and allot 15 calendar days for the grievant to respond and provide the information needed to complete the grievance.

5. What happens after my grievance is filed?

Within 30 calendar days after receipt of a completed grievance, the ADA & Title VI Coordinator or his/her duly designated investigator will perform an investigation. The investigation may include meeting or speaking with the grievant and any other person(s) the investigator believes to have relevant knowledge concerning the grievance to discuss possible resolutions if applicable.

If Allen County does not have sufficient jurisdiction to investigate the grievance, the ADA & Title VI Coordinator will refer the grievant to the appropriate local, state or federal agency holding such jurisdiction. In such cases the ADA & Title VI Coordinator will notify the grievant in writing that the grievance is outside the County's jurisdiction and where it has been referred for further handling.

6. When will I receive a response?

The ADA & Title VI Coordinator or his or her duly designated investigator will review the factual information and evidence gathered, and a written response will then be issued to the grievant within 60 calendar days after the investigation began.

7. What happens if I am not satisfied with the response?

If the grievant is not satisfied with the response, he or she has the right to appeal. An appeal request must be submitted within 15 calendar days after receipt of the response. The appeal request must be submitted in writing to the ADA & Title VI Coordinator, and it must state the reason(s) for the appeal request. Unless new facts are alleged by the grievant, which were not known at the time of the original complaint, Allen County will not reinvestigate or reconsider the appeal.

Within 30 calendar days after receipt of the appeal request, the ADA & Title VI Coordinator, in conjunction with the Allen County Commissioners, will form a special appeal committee which shall have the authority to review the ADA & Title VI Coordinator's complaint response, make an appeal determination, and negotiate a resolution on behalf of the County, if appropriate.

After formed, the committee will meet within 30 calendar days and make a determination. The grievant will then be notified in writing of the determination. If the grievant is not satisfied with the results of the appeal, the grievant may file a grievance with the appropriate agency of the State or Federal government. The U.S. Department of Justice Civil Rights Division may be contacted at (888) 736-5551.

Using the Allen County Grievance Procedure is not a prerequisite to pursuing assistance from other agencies. However, in the interest of a prompt resolution of the grievance, Allen County strongly encourages using this procedure before any of the other available alternatives.

Allen County will keep all grievances and appeals for a minimum of three (3) years.

Adopted this 20th day of October, 2023.

BOARD OF COMMISSIONERS, COUNTY OF ALLEN

Richard E. Beck

Therese M. Brown

F. Nelson Peters

ATTEST:

Chris Cloud, Deputy Auditor