

 <p style="text-align: center;">City of Santa Ana Administrative Policies and Procedures</p>	City Manager's Authorization	
	Section City Manager's Office	
Subject  <b>ADA COMPLIANCE POLICY</b>	Date	Number
	October 17, 1994	

With the passage of the Americans With Disabilities Act (ADA) in 1990, the City wishes to restate its commitment, ensuring accessibility to services and employment opportunities by people with disabilities.

In accordance with the Title II of the ADA, the City of Santa Ana does not exclude qualified individuals with disabilities from participation in any program, service, or activity or deny qualified individuals with disabilities the benefits of programs, services, or activities, or otherwise subject them to discrimination on the basis of disability. Discrimination based on disability will not be tolerated.

ADA compliance has been articulated by a transition plan and a self-evaluation of programs and services. The transition plan is useful whenever structural changes are required to bring the organization into compliance. The self-evaluation is a comprehensive review of City policies and practices, all programs, activities and services operated by the City to ensure ADA compliance.

The City designated ADA Coordinator oversees the implementation of ADA compliance for the City. The City departments are responsible and accountable for their defined role in the ADA Transition Plan and self-evaluation.

The attached City ADA Compliance Policy is designed to ensure that those who have disabilities of one kind or another have access to City programs and services.

## **PURPOSE**

The purpose of this policy is to provide guidance to all City departments to comply with provisions of the Americans With Disabilities Act.

## **POLICY**

It should be the policy of the City of Santa Ana to ensure that a consistently high level of City service is provided to all members of the community including people who may require special consideration in order to access these services.

It is the policy of the City of Santa Ana to afford people with disabilities the same access to programs, services, and employment provided to all citizens.

## **DEFINITIONS**

1. The term "qualified individual with a disability" means an individual who, with or without reasonable modifications to rules; policies or practices; the removal of architectural, communication, or transportation barriers; or, the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipts of services or the participation in programs or activities provided by public entity.
2. The term "disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.
3. The term "reasonable accommodation" includes the modification of existing facilities to facilities that are readily accessible to and usable by individuals with disabilities; job restructuring, part-time, or modified work schedules; reassignment of an employee with a disability to a vacant position; acquisition or modification of equipment; and appropriate alteration or examinations, training materials, or policies.

## **PROCEDURAL OVERVIEW**

No single policy or procedure can address City response to all people with disabilities. It is the intent of this policy and procedure to guide employees in responding to and assisting those people with disabilities with whom they will have the most contact in their performance of their duties and responsibilities.

### **A. Notice of ADA Requirements**

In compliance with the provisions of Title II of the ADA, the City will provide public notice of ADA requirements (Attachment I) to participants and the general public on an ongoing basis through a variety of mediums including:

- displaying the public notice at all program sites and City facilities

- providing this information in program handbooks
- providing this information in regular mailings

B. ADA Grievance Procedure

Attachment II delineates the City of Santa Ana's ADA Grievance Procedure. All departments and agencies shall have this procedure readily available to disseminate to anyone with questions, concerns, or complaints pertaining to ADA matters.

C. Assisting People with Disabilities

Treating people in a discriminatory fashion due to their disabilities is against federal, state, and City policy. City employees are expected to provide reasonable accommodation to people with disabilities.

The Transition Plan has identified various counter heights throughout City facilities and Library Bookmobile configuration as possible barriers to some people with disabilities. The policy of the City is the responsibility of the staff providing service in these areas to ensure access of alternative service to people affected by these barriers.

**City of Santa Ana**  
**ADA Grievance Procedure**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the City of Santa Ana.

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 discrimination 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 and is encouraged to do so within 30 calendar days after the alleged violation to:

Michael Ortiz  
ADA Coordinator  
Public Works Agency M-22  
20 Civic Center Plaza  
P.O. Box 1988  
Santa Ana, CA 92702  
(714) 647-5624  
(714) 647-6745 (TTY)

Within 15 working days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 30 working days after the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Santa Ana and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator 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 Assistant City Manager or his/ her designee.

Within 15 working days after receipt of the appeal, the Assistant City Manager or his/ her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 working days after the meeting, the Assistant City Manager or his/ her designee will respond in writing, and, where appropriate, in format accessible to the complainant, with a final resolution of the complaint.

Any retaliation, coercion, intimidation, threat, interference, or harassment for the filing of a grievance, or used to restrain a complaint from filing, is prohibited and should be reported immediately to the ADA Coordinator.

All written complaints received by ADA coordinator, appeals to the Assistant City Manager or his/her designee will be kept by the City of Santa Ana for at least three years.

City of Santa Ana  
Grievance Form (Optional)

Instructions: Please fill out this form completely in black ink or type. Sign and return to the ADA Coordinator's Office.

This form is optional and provided for your convenience.

Grievant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

If a legally authorized representative is filing the grievance on your behalf, his/her name, address and telephone number must also be included:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location or address of incident: \_\_\_\_\_

Describe your grievance: \_\_\_\_\_

\_\_\_\_\_

What type of corrective action would you like to see taken? \_\_\_\_\_

\_\_\_\_\_

If the incident(s) involved a City of Santa Ana employee(s), his/her name(s) please included: \_\_\_\_\_

\_\_\_\_\_

The name(s) and contact information of witnesses: \_\_\_\_\_

\_\_\_\_\_

If your grievance is being filed on behalf of another person or a group of people, all of the grievant(s) should be described or identified by name, if possible. \_\_\_\_\_

\_\_\_\_\_

Grievant: \_\_\_\_\_ Date: \_\_\_\_\_

Legally Authorized Representative: \_\_\_\_\_ Date: \_\_\_\_\_