

Scott Daugherty

DIVISION OF PARKS AND RECREATION

December 2, 1994

STAFF DIRECTIVE 94-14

TO: All Employees
FROM: Philip K. McKnelly *PKM*
SUBJECT: ADA Complaint Procedure

This staff directive establishes a DPR grievance procedure for receiving and investigating citizen complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act of 1990, 28 CFR Part 35, and is effective immediately.

Title II of the ADA "prohibits discrimination on the basis of disability by public entities and protects qualified individuals with disabilities from discrimination on the basis of disability in the services, programs or activities of all state and local governments."

COMPLAINT PROCEDURE

1. Complaint
 - (a) A complaint shall be in writing and contain the name, address, and phone number of the individual filing the complaint and a description of the problem encountered, including the location and date. If secretarial assistance is needed by the complainant, the ADA coordinator shall provide such assistance upon request by the individual.
 - (b) The complainant shall submit the complaint to the division ADA coordinator as soon as possible, but no later than 60 days after the alleged violation:

ADA Coordinator
Division of Parks and Recreation
12700 Bayleaf Church Road
Raleigh, North Carolina 27614
919/846-9991

2. Investigation and Response

- (a) The ADA coordinator shall investigate the complaint, affording all interested persons an opportunity to submit evidence relevant to the complaint.
- (b) Within 30 days after receipt of the complaint, a written response shall be sent to the complainant.

3. Appeal Process

- (a) If the complainant is dissatisfied with the decision of the ADA coordinator, the complainant may appeal the decision within 30 days to the division director. The director will review the appeal request and send a written decision within 30 days to the complainant, ADA coordinator, and any other affected individuals.
- (b) If the complainant is dissatisfied with the director's determination, the complainant may appeal the decision within 30 days by filing with:

Title II ADA Coordinator
Dept. of Environment, Health, and Natural Resources
P.O. Box 27687
Raleigh, North Carolina 27611
(919) 715-3880