

## **VCTC Americans with Disabilities Act (ADA)/Section 504 of Rehabilitation Act Complaint and Grievance Procedure**

### **1. Purpose and Authority**

This Policy has been created to comply with the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973. This policy establishes a complaint and grievance procedure to be followed by citizens who want to file a complaint or grievance alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Ventura County Transportation Commission, and Title VI related discrimination complaints.

VCTC wants to hear concerns and complaints from citizens in order to provide accessible programs, services and activities. A member of the public can contact the VCTC with a comment, concern, or complaint without filing a formal grievance. The City's website, [www.goventura.org](http://www.goventura.org), has a ADA Complaint Form Report which is included as an attachment to this Policy.

### **2. ADA Coordinator**

The VCTC Programming Director shall be the ADA Coordinator for VCTC. The ADA Coordinator shall be responsible for coordinating VCTC's efforts to comply with and carry out VCTC's ADA responsibilities.

### **3. Complaint and Grievance Procedure**

This complaint and grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. This procedure may be used by anyone who wishes to file a complaint or grievance alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by VCTC, not including Title VI related complaints of discrimination. The adopted Title VI Complaint Procedures, included in VCTC's Title VI Program, governs all Title VI-related complaints of discrimination.

It is preferred that the formal ADA grievance be in writing and contain information about the alleged discrimination, such as the name, address, phone number of the complainant, and location, date, and description of the problem. Alternative means of filing a complaint, such as a personal interview or a recording of the complaint, will be made available for persons with disabilities upon request. If additional accommodations are needed, please contact the ADA Coordinator.

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  
Ventura County Transportation Commission  
751 East Daily Drive #420  
Camarillo, CA 93010  
pdehaan@goventura.org  
(805) 642-1591, extension 106

Within 30 calendar days after receipt of the complaint, the ADA Coordinator or her/his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting, the ADA Coordinator or her/his designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio recording. The response will explain the position of VCTC and offer options for substantive resolution of the complaint.

#### 4. Appeal

If the response by the ADA Coordinator or her/his designee does not satisfactorily resolve the issue, the complainant and/or her/his designee may appeal the decision within 30 calendar days after receipt of the response to the VCTC Executive Director or his/her designee.

Within 30 calendar days after receipt of the appeal, the Executive Director or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the Executive Director or his/her designee will respond in writing, and, where appropriate, also respond in a format accessible to the complainant, with a final resolution or determination of the complaint.

#### 5. Retaliation

Retaliation against a person who files a complaint of discrimination or participates in an investigation of such a complaint is prohibited by Federal and State law. Any person who believes he or she has been retaliated against for filing a complaint of discrimination is encouraged to report their concerns about potential retaliatory actions to the ADA Coordinator, or as an alternative may report concerns to the Executive Director, VCTC, 950 County Square Drive, Suite 207, Ventura, CA 93003.

#### 6. Records Retention

All written complaints and grievances received by ADA Coordinator or his/her designee, appeals to the Executive Director or his/her designee, and responses from these two offices will be retained by VCTC for at least three years from final action.