

TOWN OF FAIR HAVEN
AMERICANS WITH DISABILITIES GRIEVANCE PROCEDURE

1. Complaints regarding access or discrimination must be submitted in writing to the designated official for resolution. A record of the complaints and action taken will be maintained. A decision by the designated official will be rendered within ten (10) working days.

2. Within seven (7) working days of the decision of the designated official an individual who is not satisfied with the resolution may bring the complaint to the Disabled Resident Access Committee. This appeal must be made in writing to the designated official who shall forward it along with any of his or her written records and decision to the committee within three working days of the receipt of the letter of appeal. The Disabled Resident Access Committee shall be composed of representatives from the following groups in the community: The elected body, the disabled, at-large representation, and health/medical representation. The committee will be appointed by the governing body for terms of one year.

3. The committee should be charged by the elected body to establish ground rules or procedures for hearing complaints, requests or suggestions from disabled persons regarding access to and participation in public facilities, services, activities, and functions in the community. Further, the committee should be directed to hear such complaints in public, after adequate public notice, in an unbiased, objective manner, and to make a written decision within thirty (30) days of notification. Proceedings of the committee should be recorded and maintained.

4. If the complaint is not resolved by the committee, to the satisfaction of any party, a further appeal may be taken to the governing body of the municipality. Such an appeal is taken by notifying the clerk of the governing body who shall add the matter to the next regularly scheduled meeting of the Board. The complaint will be heard by the governing body and discussed at an open, public meeting of the elected body. A determination must be made within thirty (30) days. The decision of the governing body is final.

5. A record of action taken on each request or complaint must be maintained as a part of the records or minutes at each level of the grievance process.

6. A prompt and equitable resolution of the complaint using this grievance procedure will not prevent the concurrent pursuit of other legally available remedies, such as the filing of a complaint with the Department of Justice or other appropriate federal agency, or the filing of a suit in state or federal court. Use of this grievance procedure is not a prerequisite to the pursuit of other legally available remedies.

7. Adopted by the Board of Selectmen on 2/11/92