



GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 as amended (the "ADA"). It may be used by anyone who wishes to file a non-employment related grievance alleging discrimination on the basis of disability and/or requesting a reasonable accommodation to participate in or receive benefit from the services, activities or programs provided or operated by the City of Lenexa. The City's Personnel Policies govern employment-related complaints of disability discrimination.

The grievance should be in writing and contain information such as the name, address, email and phone number of the applicant, the nature of the applicant's disability, a description of the problem or alleged discriminatory action and the date it occurred, and the reasonable accommodation requested. Alternative means for filing a grievance or any appeal therefrom will be made available for persons with disabilities upon request made to the ADA Coordinator. An Application for Reasonable Accommodation is available on the City's website or upon request from the ADA Coordinator.

The grievance should be submitted by the applicant and/or his/her designee to the ADA Coordinator as soon as possible but no later than 60 calendar days after the alleged violation to:

Mike Nolan
ADA Coordinator/Assistant to the City Manager
17101 W. 87th Street Parkway
Lenexa, KS 66219
Phone: (913) 477-7550 Fax: (913) 477-7639
Email: mnolan@lenexa.com

The ADA Coordinator shall forward the application to the Management Team member of the department responsible for the service, program or activity at issue. The ADA Coordinator will work with the department to review and investigate the grievance and to consider the reasonable accommodation requested and/or other possible reasonable accommodations. Within 15 business days after receipt of the application, the ADA Coordinator will respond in writing, and, where appropriate, in a format accessible to the applicant. The response will explain the position of the City of Lenexa and describe the approved accommodation, if any.

If the applicant does not feel that the response by the ADA Coordinator satisfactorily resolves the issue, the applicant and/or his/her designee may appeal the ADA Coordinator's decision to the City Administrator or his/her designee (the "Hearing Officer") by filing a written notice of complaint with the ADA Coordinator within 15 calendar days after receipt of the response by the ADA Coordinator to the grievance. An ADA Complaint form is available on the City's website or upon request from the ADA Coordinator.

Upon receipt of an ADA Complaint, the ADA Coordinator will schedule a hearing with the Hearing Officer, which hearing shall occur not less than 7 but not more than 31 days after receipt of the Complaint. Within 10 business days after the hearing, the Hearing Officer will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the Complaint. The decision of the Hearing Officer shall be the final decision of the City.

All written grievances received by the ADA Coordinator and appeals to the Hearing Officer made by filing a Complaint and all responses from the City of Lenexa will be retained by the City of Lenexa for at least three years.