

## **Title II of the Americans with Disabilities Act (ADA) Policy**

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, provides comprehensive rights and protections to individuals with disabilities in the areas of employment, state and local government services, public accommodations, and telecommunications, and prohibits state and local governments from discriminating on the basis of disability.

In accordance with ADA Title II requirements, the City of Cleveland does not discriminate on the basis of disability in the admission, access, or operations of its programs, services, activities, or facilities and promotes equal opportunity and full participation for all residents and visitors. Moreover, the City continually strives to eliminate barriers that may prevent persons with disabilities from access to or participation in City programs, services, activities, and facilities.

Qualified disabled individuals shall not be excluded from participating in, or denied the benefits of, or be subject to discrimination in any programs or activities sponsored by this City.

### **Requests for Reasonable Accommodation**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the ADA, and related federal and state laws and regulations forbid discrimination against those who have disabilities and require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled. Individuals with disabilities may request reasonable accommodations to access City facilities, programs, and services.

A person with a disability is defined as a person who 1) has a physical or mental impairment that substantially limits one or more major life activities; or 2) has a record of such impairment; or 3) is perceived as having such impairment. Major life activities include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Examples of auxiliary aids or services which may be provided as a reasonable accommodation include, but are not limited to, extra staff assistance; interpreters; assistive listening devices; information in large print, Braille, audible or electronic documents; TTYs; paper and pen.

The City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access City facilities, programs, services, or activities.

Citizens seeking reasonable accommodations through the ADA should submit their request in writing\* to:

**Aikaterini Houston**  
**ADA Coordinator**  
**Division of Risk Management**  
**City of Cleveland**  
[KHouston@clevelandohio.gov](mailto:KHouston@clevelandohio.gov)

If the ADA Coordinator wishes to grant the accommodation, the requestor will be notified within one week of receipt of the request and no further action will be required by the requestor. The request will then be implemented by the appropriate City Department.

If the ADA Coordinator refuses to grant the accommodation request, the requestor will be notified in writing of the decision, along with his or her rights to file a grievance under the City's Grievance Procedure. A copy of that procedure will be included in the correspondence to the petitioner.

### **ADA Title II Grievance Procedure**

The City of Cleveland hereby establishes an ADA Title II Grievance Procedure that meets the requirements of the Americans with Disabilities Act of 1990; provides for prompt and equitable resolution of complaints alleging actions prohibited by the U.S. Department of Justice regulating Title II of the Americans with Disabilities Act; and may be utilized by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of City services, activities, programs, and benefits.

Complaints regarding access or related alleged discrimination must be submitted using the City's ADA Title II Grievance Form\*. The complaint should include a detailed description of the alleged discriminatory action to inform the City of the nature and date of the alleged violation. The complaint must be signed by the complainant or by someone authorized to do so on his/her behalf.

- Grievances must be submitted to the City within ninety (90) calendar days of the incident of alleged discrimination.
- Within fifteen (15) business days after receipt of the complaint, a City official will meet with the complainant to discuss the complaint and possible resolution.
- The City will provide a written response to the complainant regarding the complaint in an appropriate format within fifteen (15) business days of the meeting.

If the City's response is not acceptable to the complainant, the complainant or his/her authorized representative may, within 10 business days, submit to the City a written\* appeal describing why the proposed resolution is unsatisfactory. The City will have the ability to respond within 10 business days.

An individual's right to prompt and equitable complaint resolution shall not impair his/her pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or any other appropriate federal agency, or a court of competent jurisdiction. The use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

A record of all complaints and action(s) taken by the City will be maintained on file.

\* Alternative means of filing a request or a complaint, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if he/she is unable to communicate his/her request in writing.