

TITLE II GRIEVANCE PROCEDURE

The Kentuckiana Regional Planning and Development Agency (KIPDA) has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA). Title II states, in part, that “no otherwise qualified individual with a disability shall, solely by reason on such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by an agency.

Complaints should be addressed to the Executive Director, KIPDA, 11520 Commonwealth Drive, Louisville, Kentucky, 40299. (502) 266-6084

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within 180 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the ADA Coordinator. The rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Executive Director and a copy forwarded to the complainant no later than 15 working days after its filing.
5. The ADA Coordinator shall maintain the files and records of the agency, KIPDA, relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) working days after receiving the Executive Director’s findings, to the Chairperson of the KIPDA Board of Directors.
7. The reconsideration will be heard by a subcommittee of the Board of Directors appointed by the Chairperson, with if necessary, representatives of pertinent community organizations. Their recommendation will be presented to the KIPDA Board of Directors at their next regularly scheduled meeting for their action. A written

determination will be sent to the complainant within five (5) working days from the date of the Board of Directors' meeting where the complaint was heard.

8. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the Equal Employment Opportunity Commission or any other appropriate Federal and/or state agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
9. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that KIPDA complies with the ADA and implementing regulations.