

**REDDING AREA BUS AUTHORITY  
BOARD POLICY**

SUBJECT	RESOLUTION NUMBER	POLICY NUMBER	EFFECTIVE DATE
<b>ADA – Title II Disabled Access to Facilities, Services and Programs</b>	RABA 2015-10	124	10/19/15

**BACKGROUND**

The issue of accessibility, both architecturally and programmatically, by people with disabilities to public and private entities has been addressed by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. This broad reaching legislation addresses the right of people with disabilities to obtain equal access to services, programs, buildings, facilities, and employment.

**PURPOSE**

- A) It is the intent of the Board of Directors that the Redding Area Bus Authority take a proactive leadership role to address the requirements of the Americans with Disabilities Act by calling on all businesses and industries to work together toward this goal. In addition, it is the intent of the Board of Directors to ensure that the Redding Area Bus Authority provides equal employment opportunities to persons with disabilities.
- B) To ensure compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 and to establish an informal grievance procedure for the resolution of complaints from disabled persons who believe that they have been excluded from participation in, have been denied the benefits of, or have been subjected to discrimination under any program or activity of the Redding Area Bus Authority solely by reason of his or her disability.
- C) To designate the coordinators of the Redding Area Bus Authority’s efforts to comply with and carry out the requirements of the Americans with Disabilities Act of 1990 (ADA).

**POLICY**

It shall be the policy of the Board of Directors to ensure that the Redding Area Bus Authority provides accessible services, programs, and buildings, and to maintain compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

The Redding Area Bus Authority endorses the goals of the ADA of ensuring equal participation of individuals with disabilities in the "mainstream" of American society. The major principles of mainstreaming which the Redding Area Bus Authority endorses are:

- 1) Individuals with disabilities shall be integrated to the maximum extent appropriate.
- 2) Separate programs shall be permitted where necessary to ensure equal opportunity.

- 3) Individuals with disabilities shall not be excluded from the regular programs of the Redding Area Bus Authority, or required to accept special services or benefits.
- 4) The Redding Area Bus Authority will not impose eligibility criteria for participation in its programs, services, or activities that either screen out or tend to screen out persons with disabilities, unless it can show that such requirements are necessary for the provision of the service, program, or activity.

### **POLICY IMPLEMENTATION AND ADA COORDINATOR DESIGNATIONS**

Section 504 and the ADA require public entities to designate at least one employee to coordinate the investigation of grievances from persons with disabilities.

- 1) Public. The ADA Coordinator for the public services provisions of the ADA (Title II), covering program accessibility, communications, and architectural barriers is as follows:

ADA Coordinator  
City of Redding  
Director of Public Works (or his/her designee)  
777 Cypress Avenue  
Redding, CA 96001  
(530) 245-7156

- 2) Public Grievance Procedure. The ADA Coordinator shall be responsible for investigating any grievance or communication to the Redding Area Bus Authority alleging non-compliance with the ADA. The ADA Coordinator for the general public is as follows:

ADA Coordinator  
Redding Area Bus Authority  
General Counsel (or his/her designee)  
777 Cypress Avenue  
Redding, CA 96001  
(530) 225-4385

### **PROCEDURE**

- 1) Who May File a Grievance. Any person who believes that he or she or a specific class of individuals has been subjected to discrimination on the basis of disability by the Redding Area Bus Authority may, on his/her own behalf or by an authorized representative, file a grievance under this procedure.
- 2) Non-Retaliation. No person who files a grievance, nor any person who cooperates in the investigation of a grievance, shall be subjected to retaliation, and the Redding Area Bus Authority shall take reasonable steps to protect such persons from retaliatory actions.
- 3) Grievance. Persons having a grievance are encouraged to first contact, by telephone or in

- person, the appropriate ADA Coordinator to attempt to informally resolve the grievance. If this does not yield a satisfactory resolution, a grievance form may be filed.
- 4) Filing. The grievance shall be filed with the appropriate ADA Coordinator. The grievance should be filed in writing using the ADA Grievance Form; however, it may be filed orally.
  - 5) The grievance shall contain the following:
    - a) The name, address and telephone number of the person filing the grievance, and the name address and telephone number of the person affected by the alleged discrimination (if different).
    - b) A statement of the problem or action alleged to be discriminatory, as much background information (time, place, photographs, etc...) as possible, including witness names and contact information.
    - c) A recommended remedy or relief being requested to resolve the complaint.
  - 6) The grievance should be filed within 30 calendar days after the person becomes aware of the alleged discriminatory action.
  - 7) The ADA Coordinator shall investigate the validity of the complaint and shall, within 30 calendar days of receipt of the grievance, issue to the person filing the grievance, or his or her designated representative, a written determination as to its validity, and a description of the resolution of the complaint, if any. The 30-day period for making a determination regarding the grievance may be extended for an additional 30-day time period with written notice to the person filing the grievance or his or her designated representative.
  - 8) Reconsideration of the determination of the ADA Coordinator may be made in instances where the person is dissatisfied with the resolution of the complaint, or if a written determination has not been issued within the initial or extended 30-day time period. The request for reconsideration must be made within 14 calendar days of the issuance of the written determination or the expiration of the initial or extended 30-day time period. The request shall be made in writing to the City Manager of the City of Redding, who shall issue a final written determination within 30-days of receipt of the request for reconsideration.

### **GRIEVANCE FORM**

A grievance form can be obtained from any of the ADA Coordinators or the City of Redding City Clerk's office.

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