

# AMERICANS WITH DISABILITIES ACT COMPLAINT PROCEDURE

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Blue Ridge Community College has adopted an internal procedure which provides for the 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 disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs or activities sponsored by a public entity."

Complaints should be addressed to the Vice President of Finance and Administration, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing, 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 30 calendar days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow the filing of a complaint. The investigation shall be informal but thorough and afford 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 and forwarded to the complainant no later than 10 calendar days after its filing.
5. The complainant can request a reconsideration of the case in instances of dissatisfaction with the resolution. The request for reconsideration should be made within 10 calendar days.
6. The ADA coordinator shall maintain the files and records relating to the complaints filed.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of this procedure be a prerequisite to the pursuit of other remedies.

Other remedies include the filing of an ADA complaint with the federal EEOC, or other responsible federal agency. State employees may also file a complaint with the state EEO or initiate a grievance under the state grievance procedure.