

Crystal Lake Public Library Americans With Disabilities Act Grievance Procedures

I. PURPOSE

This policy establishes the grievance procedure required by Title II of the Americans with Disabilities Act of 1990 ("ADA"), to resolve grievances asserted by individuals with disabilities.

It is the intention of CLPL to foster open communication with all individuals requesting readily accessible programs, services, and activities. CLPL encourages supervisors of programs, services, and activities to respond to requests for modifications before they become grievances.

II. DEFINITIONS

- A. A "grievance" is any complaint under the ADA by an individual with a disability who:
1. meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by CLPL, and
 2. believes s/he has been excluded from participation in, or denied the benefits of, any program, service, or activity of CLPL or has been subject to discrimination by CLPL, on the basis of his or her disability.
- B. A "complainant" is an individual with a disability or their designated representative, who files a grievance on the form set out in Appendix A of this Policy.
- C. The "Coordinator" is the person(s) appointed by the Crystal Lake Public Library who are responsible for the coordination of efforts of CLPL to carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants.

III. FILING OF GRIEVANCES

- A. CLPL will endeavor to resolve grievances without resorting to the formal grievance procedure established by this Policy. A person who wishes to avail himself or herself of the formal procedure, however, may do so only by filing a grievance within 180 calendar days of the alleged discrimination, in the form and manner prescribed in Section IV.
- B. CLPL shall provide a copy of the grievance procedure and the required complaint form to anyone who requests it or expresses a desire to file a formal grievance. If assistance is needed in completing the form, an appropriate staff member, other than Coordinator, will be designated.

IV. MANNER OF FILING

- A. The filing of a grievance is accomplished by the complainant's submission of a grievance in writing to the Coordinator on the prescribed form. (See Appendix A.)
- B. In order to be deemed filed and to receive proper consideration by the Coordinator, the grievance form must be completed in full except as otherwise indicated on the form. The Coordinator will notify the complainant within ten (10) business days of the receipt of the form if the filing is not complete. CLPL will assist with completion of the grievance form upon request.

V. INITIAL RESPONSE

The Coordinator(s), or his/her representative, shall investigate the grievance and attempt to resolve it. The Coordinator(s), after obtaining the approval of the Library Director, shall provide a written response to the complainant and the Board of Library Trustees of CLPL within fourteen (14) days after receipt of the grievance form.

VI. REVIEW

- A. If the grievance is not resolved by the Coordinator(s) to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and Coordinators' response to the Board of Library Trustees of CLPL for final review. The complainant shall submit these documents to the Board of Library Trustees of CLPL, together with a short written statement explaining the reasons(s) for dissatisfaction with the coordinators' written response, within seven (7) days after complainant's receipt of the Coordinator's response. The Board of Library Trustees of CLPL will extend the period for submitting the review request and supporting documents for up to fourteen additional days upon complainant's request.
- B. The President of the Board of Library Trustees of CLPL shall appoint a three-member panel to review the grievance.
- C. The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the Coordinators' written response and may conduct interviews and seek advice as it deems appropriate.
- D. The panel shall make recommendations in writing to the Board of Library Trustees of CLPL as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may also make a signed, written recommendation to the Board of Library Trustees of CLPL.
- E. Upon receipt of recommendations from a panel, the Board of Library Trustees of CLPL shall approve, disapprove, or modify the panel recommendations, shall render a decision thereon in writing, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The decision of the Board of Library Trustees of CLPL shall be final. If the Board of Library Trustees of CLPL disapproves or modifies the Panel's recommendations, the Board of Library Trustees of CLPL shall include written reasons for such disapproval or modification.
- F. A complainant's failure to appeal the Coordinators' response for review by the Board of Library Trustees of CLPL within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given by the Coordinators.

VII. ACCESSIBILITY

CLPL shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

VIII. CASE-BY-CASE RESOLUTION

Each grievance involves a unique set of factors which include but are not limited to: the specific nature of the disability; the essential eligibility requirements for, the benefits to be derived from, and the nature of the service, program, or activity at issue; the health and safety of others; and, whether or not an accommodation would constitute a fundamental alteration to the program, service, or activity or undue hardship on CLPL. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainant may rely.

APPENDIX A: GRIEVANCE FORM

**GRIEVANCE
DISCRIMINATION BASED ON DISABILITY**

It is the policy of the Crystal Lake Public Library to provide assistance in filling out this form. If assistance is needed, please ask:

ADA Coordinator
Crystal Lake Public Library
126 Paddock Street
Crystal Lake, Illinois 60014

Name: _____

Address: _____

City, State, Zip Code: _____

Program, service, or activity to which access was denied or in which alleged discrimination occurred: _____

Date of alleged discrimination: _____

Nature of alleged discrimination: _____

(Attached additional sheets, if necessary. If the grievance is based on a denial of requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service, or activity and the above statements are true to the best of my knowledge and belief.

Signature Date

Please give to the ADA Coordinator at the address listed above.

For Office Use Only

Date Received: _____ By: _____

Please fill out this part of the form if this grievance is based upon the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services, and activities accessible. Reasonable modifications could include such things as providing auxiliary aids and devices and changing some policies and requirements to allow an individual with a disability to participate. This portion of the form should be filled in to the extent you know the answers. The form may be submitted even if this portion is incomplete.

Reasonable Modification requested:

The date the Reasonable Modification was requested:

The person to whom the request was made:

The reason for denial:

Estimated cost of modification (if an Assistive Device, such as a TDD or optical reader, or commodity or service to which a cost is readily known):

Why is the requested modification necessary to use to participate in the program, service, or activity?

Alternative modifications which may provide accessibility:

Any other information you believe will aid in a fair resolution of this grievance.