

City of San Juan Capistrano

Complaint and Grievance Procedure under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act

The Complaint and Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973. It may be used by anyone who wishes to file a complaint or grievance alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of San Juan Capistrano. The City of San Juan Capistrano's Personnel Policy governs employment-related complaints of disability discrimination.

The City of San Juan Capistrano wants to hear concerns and any other input from citizens in order to provide accessible programs, services and activities. A citizen can call with a comment, concern or complaint without filing a formal grievance. A formal grievance can be filed by completing the grievance and complaint form by contacting the ADA Coordinator, Sam Penrod or the designated alternative person.

If the citizen wants to file a formal grievance, grievance procedures and forms are provided. It is preferred that the grievance be in writing and contain information about the alleged discrimination such as name, address and contact information of the grievant. A description of the problem that includes location and date is requested.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request. If additional accommodations are needed, please contact the ADA Coordinator.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Sam Penrod
ADA Coordinator

City of San Juan Capistrano
32400 Paseo Adelanto
SAN JUAN CAPISTRANO CITY, CA 92675
Email: spenrod@sanjuancapistrano.org
Phone: (949) 234-4565
FAX: (949) 234-4566

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting with the ADA Coordinator or his/her designee, he/she will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of San Juan Capistrano and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to Assistant City Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, Assistant City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Assistant City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the Assistant City Manager or his/her designee, and responses from these two offices will be retained by the City of San Juan Capistrano for at least three years.