



# Title II, Section 504 POLICY

*Adopted August 20, 2021*



CITY OF  
MASON

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# TITLE II, SECTION 504 POLICY STATEMENT

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## Section 504 Authorities

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the City of Mason ("City") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

**Effective Communication:** The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. Alternative formats could include printed materials or materials in larger print.

**Modification to Policies and Procedures:** The City will make all reasonable modifications to policies and programs to ensure that individuals with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcome in City offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or requiring services for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City should contact the Customer Service Desk at 517.676.9155 as soon as possible but no later than 72 hours before a scheduled event.

The City of Mason will not charge an individual with a disability or any group of individuals with disabilities to cover the cost of providing reasonable modifications, such as retrieving items from locations that are open to the public, but are not accessible to persons who use wheelchairs.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs and services, or impose an undue financial or administrative burden.

Section 504 and the ADA also prohibit retaliation for raising a complaint or grievance under these acts or for advocating for a right these acts protect. Complaints that a program, service, or activity of the City is not accessible to a person with disabilities should be directed to:

Sarah Jarvis, City Clerk  
City of Mason  
201 West Ash Street  
Mason, MI 48854-0370  
517.676.9155  
[sarahj@mason.mi.us](mailto:sarahj@mason.mi.us)

The U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity (FHEO) is the entity that is charged with enforcing ADA and Section 504 compliance. Inquiries about these issues may also be referred to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity.

### Filing a Grievance

The following is an overview of how the City of Mason processes grievances filed by individuals who have experienced disability discrimination under Section 504 of the Rehabilitation Act of 1973. Section 504 protects you from discrimination in Federally funded programs for which you qualify.

This document can be provided in a format accessible to persons with limited access, disabilities, and/or persons with limited English proficiency upon request. The City of Mason prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, disability, or age.

**What is a Grievance?** A grievance is a complaint on the basis of disability and in some way asking for the City of Mason's assistance in resolving the problem. It may be submitted in writing or online. The grievance should contain:

- Complainant's name and address;
- Name and address of the individual, department or organization (City of Mason or City subrecipient of Federal assistance) alleged to have discriminated (the "recipient");
- Description of the discriminatory actions and the date of those actions;
- Sufficient information to substantiate any claims or charges. If possible, supporting documentation should be included;
- If desired, a complainant may propose a solution or remedy to the problem.

The grievance may be amended at any time to clarify or amplify the allegation. Although a grievance will contain the name of the complainant, the City of Mason will keep that identity confidential unless it has written authorization from the complainant to release it or except as necessary to carry out the purpose of the Section 504 regulations, including the enforcement provisions.

**When Must a Grievance be Filed?** Under Section 504, a grievance should be filed within a reasonable time after the complainant becomes aware of the action alleged to be prohibited. All grievances must be filed within 60 days of the alleged act of discrimination. The grievance is deemed received on the date the City of Mason actually receives it, or if mailed, on the date it is postmarked.

**Who May File a Grievance?** Any individual who believes he or she has been discriminated against on the basis of disability by a recipient of Federal financial assistance, his or her representative, or a member of a class of persons so situated, or the authorized representative of a member of that class.

**Who is an Individual with Disabilities?** An individual with disabilities is any person who has a physical or mental impairment that substantially limits one or major life activities; has a record of such impairment; or is regarded as having such an impairment.

### Where May a Grievance be Filed?

- A grievance may be filed by mail to the City of Mason, **Attention: Sarah Jarvis**, Section 504 Coordinator, 201 West Ash, Mason, MI 48854-0370. Contact Sarah Jarvis directly at **517.676.9155**, or via e-mail at [sarahj@mason.mi.us](mailto:sarahj@mason.mi.us)

# Grievance Process

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**Notification to Parties:** Within 15 days of receipt, the City of Mason will notify the complainant and the recipient that it has received the grievance.

**Notification of the Parties and the Recipient's Opportunity to Respond:** Once the grievance has been accepted, the Section 504 Coordinator for the City of Carson will notify the complainant and the recipient of the complaint's acceptance. The Section 504 Coordinator will also notify the recipient of the allegations and provide an opportunity for a written response to the allegations within 30 days of receiving the notice.

**Voluntary Resolution of the Issues:** During investigation of the grievance, the Section 504 Coordinator will make every effort to define all of the issues contained in the grievance. Throughout the grievance process, the Section 504 Coordinator will encourage a voluntary resolution of the matter, and will assist the parties in resolving the grievance through informal means. A matter may be resolved by informal means at any time.

**The Investigation and Determination:** Within 90 calendar days after receiving the grievance, the Section 504 Coordinator must investigate the incident and issue a finding of whether or not discrimination was found. The Section 504 Coordinator will request all of the information that the City of Mason believes is necessary in order to fully investigate the issues in the grievance. The grievance investigation will involve interviews and meetings with the parties, including any witnesses or other persons identified as having some involvement in the issues of the grievance. The Section 504 Coordinator may also conduct on-site reviews of facilities that are under the recipient's oversight, if these facilities are a part of the grievance. Once the grievance investigation is completed, the Section 504 Coordinator will compile all of the findings and shall issue a written determination.

**Appeal Procedure:** Within 15 days of receipt of the Section 504 Coordinator's written decision, the person filing the grievance may appeal the Section 504 Coordinator's decision to the City Manager. An appeal as defined herein shall be in writing and shall state why the complaining party believes the Section 504 Coordinator's decision is inadequate to resolve the problem.

The City Manager shall conduct a review of the original grievance, the Section 504 Coordinator's written decision, and any other information he/she deems necessary to evaluate the appeal. The City Manager shall render a final decision on the appeal within 30 days of its filing.

**All responses will be maintained for at least three years.**

The availability and use of this grievance procedure does not prevent a person from filing a formal complaint of discrimination at any time during or after the grievance process with the following agencies:

- Michigan Department of Health and Human Services
- US Department of Housing and Urban Development, Detroit Office of Fair Housing and Equal Opportunity



# SECTION 504 COMPLAINT FORM

*This form is to be used to report a suspected violation of Section 504 by the City of Mason and/or one of its employees, agents, contractors, subcontractors, or sub recipients of federal funds. Completion of this form will result in an investigation and report pursuant to the City of Mason Section 504 Policy.*

Name of complainant: \_\_\_\_\_ Phone No: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Date on which act of discrimination occurred: \_\_\_\_\_

Date on which complainant became aware of act of discrimination: \_\_\_\_\_

If continuing course of discriminatory conduct, the date on which the conduct was discontinued: \_\_\_\_\_

Name and title of person involved in discriminatory conduct (if known): \_\_\_\_\_

Detailed basis for complaint (use additional sheets as necessary): \_\_\_\_\_

Remedy sought: \_\_\_\_\_

## **Applicant Certification:**

The information provided herein is true to the best of my knowledge, information and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Office Use Only:**

Complaint Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_