**Procedure No.** I.F.PR.009 **Issue Date:** July 1, 2017

**Subject: DDS ADA Grievance Procedure Effective Date:** Upon release

**Section:** Human Rights and Legal Responsibilities **Approved**:/s/Jordan A. Scheff/MJMcC

**Policy Statement**

In accordance with the requirements of the Americans with Disabilities Act of 1990 (ADA), Connecticut’s Department of Developmental Services shall not discriminate against a qualified individual with a disability on the basis of the disability in the provision of services, activities, programs, or benefits.

1. **Purpose**

The purpose of this procedure is to meet the requirements of the Americans with Disabilities Act of 1990 so that any person who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Department of Developmental Services may do so.

1. **Applicability**

This procedure applies to all individuals who are eligible for or receive DDS funding or services. This procedure also applies to case managers, support brokers, service coordinators, program supervisors, case management supervisors and all other staff responsible for ensuring that DDS does not discriminate against a qualified individual with a disability on the basis of the disability in the provision of the department’s services, activities, programs, or benefits.

1. **Definitions**

None

1. **Implementation**
2. A complaint of alleged discrimination shall be in writing and contain information such as the name, address, and phone number of the complainant and the date, location and description of the alleged discrimination.
3. Alternative means of filing a complaint, such as by personal interview or by an audio tape of the complaint, shall be available upon request.
4. The complaint shall be submitted to the DDS ADA Coordinator by the person who is aggrieved, or his or her designee, not later than 60 calendar days after the alleged violation has occurred.
5. Within 15 calendar days after receipt of the complaint, the DDS ADA Coordinator shall meet with the complainant to discuss the complaint and possible resolutions.
6. Within 15 calendar days after this meeting, the DDS ADA Coordinator shall respond in writing or, when appropriate, in a format accessible to the complainant (e.g., large print, Braille, or audio tape). The response shall explain the position of the Department of Developmental Services and offer options for substantive resolution of the complaint.
7. If the response by the DDS ADA Coordinator does not satisfactorily resolve the complaint, the complainant, or his or her designee, may appeal the decision to the DDS Commissioner, or the Commissioner’s designee, within 15 calendar days after the receipt of the DDS ADA Coordinator’s response.
8. Within 15 calendar days after the receipt of the appeal, the DDS Commissioner, or the Commissioner’s designee, shall meet with the complainant to discuss the complaint and possible resolutions.
9. Within 15 calendar days after this meeting, the DDS Commissioner, or the Commissioner’s designee, shall respond in writing or, when appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
10. Any complaint received by the DDS ADA Coordinator, any appeal submitted to the DDS Commissioner, or the Commissioner’s designee, and any decision on or response to a complaint from the ADA Coordinator or the Commissioner shall be retained by the department for not less than three years.

**E. References**

1. Department of Justice Nondiscrimination on the Basis of State and Local Government Services Regulations, 28 C.F.R. pt. 35, § 35 .107(a) (2005)
2. Section 504 of the Rehabilitation Act, 29 U.S.C. § 794

1. **Attachments**

I.F.PR.009 Attachment A [DDS Grievance Procedure Under the ADA](http://www.ct.gov/dds/lib/dds/dds_manual/if_ada_grievance/ifpr009_attachment_a_ada_grievance_process.docx)

I.F.PR.009 Attachment B [DDS Notice Under the ADA](http://www.ct.gov/dds/lib/dds/dds_manual/if_ada_grievance/ifpr009_attachment_b_ada_notice.docx)