
APPENDIX A- Proposed Policy of Nondiscrimination

As required by Section 504 of the Rehabilitation Act (as amended) and the Americans with Disabilities Act (ADA), the City of Lake Charles has adopted by resolution a policy regarding Nondiscrimination on the Basis of Disability.

The City of Lake Charles does not discriminate on the basis of disability in the admission to access to, or operations of programs, services, or activities.

Qualified individuals who need accessible communication aids and services or other accommodations to participate in programs and activities are invited to make your needs and preferences known to the Title VI Coordinator/ADA Coordinator. Please give us at least 72 hours advance notice so we can adequately meet your needs.

An internal grievance procedure is available to resolve complaints. Questions, concerns, or requests for additional information regarding 504/ADA should be forwarded to the Title VI Coordinator/ADA Coordinator, whose contact information is listed in Appendix G.

Upon request, this notice and other materials may be made available in alternative formats (for example, large print or audio tape) from the Title VI Coordinator/ADA Coordinator.

APPENDIX B – Proposed Discrimination Complaint Process and Form Complaint Process

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination based on disability have several ways to file a grievance.

Under Title II applicable to local government, filing a grievance with the entity's ADA and Title VI Coordinator, filing a complaint with a federal agency or state agency administering federal funds, or filing a lawsuit may be done independently of others.

Individuals are not required to file either a grievance or complaint to bring a lawsuit. Lawsuits may be filed at any time. The following are three federal agencies where an ADA complaint can be filed:

United States Department of Justice (DOJ)
Coordination and Review Section
Civil Rights Division
P.O. Box 66118
Washington, D. C. 20035-6118

Assistant Secretary for Fair Housing and Equal Opportunity
Department of Housing and Urban Development (HUD)
451 7th Street SW, Room 5100
Washington, D.C. 20202

Office of Civil Rights
Department of Education
330 C Street SW, Suite 5000
Washington, DC. 20202

B.1.0 Filing a Local Complaint

All written or verbal complaints of discrimination will be forwarded immediately to the Compliance Programs Office of DOTD for handling in accordance with 23 CFR 200.9 (b) (3). In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. However, the written complaint must be signed by the complainant.

All Title VI and related statute complaints are considered formal as there is no informal process. Therefore, the complainant will be contacted according to DOTD's formal complaints process. Complaints filed under Title VI against subrecipients or contractors/consultants will be investigated by the City of Lake Charles Committee with assistance of DOTD's Title VI Program Manager. The City of Lake Charles maintains a confidential log of complaints for the purpose of assisting DOTD.

B.2.0 Complaint Log

The log will include the following information:

- a. Name of Complainant;
- b. Name of Respondent;
- c. Basis of complaint: Disability along with other associated factors: race, color, national origin, income, gender, age, and retaliation;
- d. Date complaint received by the City of Lake Charles.
- e. Date the City of Lake Charles forwarded the complaint to DOTD's Title VI/ADA Program Manager;
- f. A statement of the complaint, including specific details, relevant facts and documentation;
- g. The final disposition of the complaint; and
- h. The complaint log will maintain the above information for the last five years from the current date.

B.3.3 Intimidation and Retaliation

Any individual having filed a complaint or participated in the investigation of a complaint shall not be subjected to any form of intimidation or retaliation. Individuals who have cause to think that they have been subjected to intimidation or retaliation can file a complaint of retaliation following the same procedure for filing a discrimination complaint.

B.4.0 Time Frames

There are different time frames depending on the agency and complainant.

B.4.1. DOTD Time Frames

The total time allotted is 60 days for City of Lake Charles with the assistance of DOTD to complete the investigative report and submit to the administrative supervisor of DOTD Complaint Section with copies to FHWA, FTA, and MPO.

B.5.0 Complainant

A complaint must be filed no later than 180 days after the following:

1. The date of the alleged act of discrimination; or
2. The date when the person(s) became aware of the alleged discrimination; or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest of the conduct.