

Elmhurst Park District Administrative Policy and Procedure Manual

Section 1.16 – Americans with Disabilities Act (ADA) Policy

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990 and was subsequently amended and changes took effect on January 1, 2009. It is the intention of the Elmhurst Park District to comply with all aspects of the ADA and any and all amendments to date as well as any future amendments.

The District acknowledges and supports the Act and prohibits discrimination on the basis of disability in employment, services, programs and facilities of the District. To comply with the many facets of the ADA, the Park Board empowers the Executive Director to designate an employee or employees to coordinate the District's efforts to comply with and carry out its responsibilities under the ADA. The District will make required reasonable accommodations to facilitate employment, community access and full participation by the community.

The District's ADA Compliance Officer, the Director of Facilities, is responsible for overseeing the District's ADA program. The District provides appropriate notice to disseminate information to applicants, participants, and other interested persons to inform them of the rights and protections afforded by Titles 1 and II of the ADA. Methods of providing this information include the publication of information in handbooks, manuals, and pamphlets that are distributed to the public. Alternate forms of communication are available upon request, such as publications in alternative formats (e.g. larger print) and sign language interpreters. Most District forms can be found online or can be requested by calling 630-993-8915 for additional assistance.

Facilities: Accessibility of building and park facilities are addressed specifically in the District's ADA Transition Plan (adopted October 11, 2011). The District recognizes the importance of eliminating identified barriers and fully intends to continually assess accessibility in any renovations and future development. The District's renovations identified in the Transition Plan will take place over a period of years based on priority and available funding.

Programs: The Board recognized the need to provide quality recreation for special populations that live within the District, utilizing the financial resources available. The District participates as a member of the Gateway Special Recreation Association to work in cooperation with its partner agencies to make certain that professional consideration and inclusion is accomplished by accommodating residents with a disability. District participation in this association ensures that it meets its responsibilities through a cooperative special recreation association where such is more economical or viable than an "in-District" program. The Park Board appoints an employee to represent the District on the Gateway Board. The District meets its financial obligations for the support of Gateway primarily through a tax levy provided, in part, for this purpose.

The District understands that not all participants with special needs desire or require specialized programming. As a result, and in accordance with the ADA, the District is committed to providing reasonable accommodations, which include one-on-one aides, program modifications, and special equipment at no additional cost to the participant. These accommodations are available for all programs to provide inclusive recreational opportunities to all interested individuals.

Grievance Procedure: The District has adopted the following grievance procedure to provide prompt and equitable resolution of complaints alleging any action that would be prohibited by the U.S. Department of Justice regulations implementing Title II of the ADA. The District established the procedure to provide persons with disabilities a mechanism to voice concerns, resolve disputes and differences relating to the ADA, and ensure compliance.

The District uses the following set of procedures to resolve grievances.

1. Complaints or grievances should be filed in writing and contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. Complaints should be addressed to the ADA Compliance Officer, Elmhurst Park District, 375 W. First St., Elmhurst, IL 60126. A person can use the Accessibility Complaint form available on the District's website or at the District's Administrative Office at 375 W. First Street, Elmhurst, IL 60126.
2. A complaint should be filled within (60) calendar days after the complaint becomes aware of the alleged violation.
3. When appropriate, an investigation shall be made of all complaints relating to the District's compliance with the ADA by the ADA Compliance Officer when brought to his/her attention by any employee, constituent, visitor, or participant of the Park District and its facilities.
4. The District's primary objective in complaint resolution is to resolve the complainant's allegations of discrimination promptly and appropriately. The District will initiate immediate action to investigate and resolve any appropriate complaint as soon as it is received in writing. In addition to its formal complaint investigative process, the District may also utilize an expedited complaint resolution process called Early Complaint Resolution (ECR), whereby the District attempts to resolve the outstanding complaint issue(s) through mediation. This ECR process provides both parties involved the opportunity to immediately resolve the allegations prompting the complaint. Both the Park District and the complainant must be willing to participate in this mediation process. Either party may end the process at any time if it appears that a resolution cannot be reached. In that case, the more formal investigation procedure described in #6 will be conducted.
5. The complainant has the right to file a complaint directly with the appropriate state and/or federal agencies even if a complaint has or will be filed with the Park District. The right of a person to a prompt and equitable resolution of the complaint filed shall not be impaired by the person's pursuit of the other remedies.
6. If the complainant or Park District chooses to enter into a formal investigation process, the Park District must begin the investigation within five (5) working days of notification by the complainant. The complainant shall be notified in writing by the Executive Director of the successful resolution of the complaint, the reason why the complaint cannot be resolved, or the time schedule for its resolution within fifteen (15) working days after notification by the complainant.
7. The complainant may appeal the Executive Director's decision to the Park Board. The Board shall hear the appeal and recommend confirmation, modification, or revocation of the Executive Director's decision. The decision of the Board shall be final by the order of the Board and sent in writing to the complainant. However, if the complainant filed said complaint with other appropriate agencies, further action may be imposed on either party. All Board actions shall be completed within twenty (20) working days following written notice of the appeal.
8. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of the procedure be a prerequisite to the pursuit of other remedies.
9. The ADA Compliance Officer shall maintain a record of all complaints filed.

Appropriate remedies are available for grievances with the District's implementation of other Federal Statutes.