

Exhibit "D"

City of Fairway ADA Grievance Policy and Procedures

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

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. 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.

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:

Deputy City Clerk
5240 Belinder Rd
Fairway, Kansas 66205

Within 15 calendar days after receipt of the complaint, the ADA Grievance Officer's or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Grievance Officer or his/her designee 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 and offer options for substantive resolution of the complaint.

If the response by the ADA Grievance Officer's 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. The appeal shall be to the ADA Coordinator. Notice of appeal of the decision of the ADA Grievance Officer shall be submitted to the ADA Coordinator in writing. Upon submission of the written notice, the ADA Grievance Officer shall provide the ADA Coordinator with all documentation related to the complaint. Within 15 calendar days of submission of the notice of appeal, the ADA Coordinator shall meet with the complainant to attempt to resolve the complaint. No later than 10 days after meeting with the complainant, the ADA Coordinator shall provide the complainant with a written statement of the City's position and any proposed solution or accommodation determined to be appropriate.

If the response of the ADA Coordinator still does not satisfactorily resolve the complaint, the complainant shall, within 10 calendar days, submit a written notice of appeal to the Governing Body through the ADA Coordinator. Upon receipt of the notice, the ADA Coordinator shall immediately provide each member of the Governing Body with all documentation related to the complaint. At the City Council's next regularly scheduled meeting; provided that the meeting

falls on a day that is no less than 7 calendar days after the date that the complaint documentation is provided to the Governing Body, but in no event at a regular or special meeting more than 35 days from the date of the written notice, the complainant shall present his/her complaint to the Governing Body for its consideration. The complainant and the ADA Coordinator may designate individuals to make presentations to the Governing Body related to the complaint and any actions proposed by the City to satisfactorily resolve the complaint. If deemed appropriate, the Governing Body may continue the discussion of the complaint to a subsequent regular City Council meeting or a special City Council meeting; provided that, unless the complainant agrees, the Governing Body shall conclude its consideration within 31 days of the initial hearing by the Governing Body on the complaint. Within 10 days of the conclusion of the hearing on the complaint, the Governing Body shall provide the complainant with a written statement of the City's position and any proposed solution or accommodation determined to be appropriate. The decision of the Governing Body shall be final decision of the City.

All written complaints and appeals received by the ADA Coordinator or his/her designee, appeals to and responses from this office will be retained by the City for at least three years.

City of Fairway
ADA Grievance Form

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Location of problem: _____

Date noticed: _____

Description of
problem: _____

Please attach additional pages if needed.

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:

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