



ADA Notice and Grievance Procedure

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of San Marcos will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or facilities.

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

Effective Communication: The City of San Marcos 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 of San Marcos's programs, services, and activities.

Modifications to Policies and Procedures: The City of San Marcos will make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of San Marcos's offices, even where pets are generally prohibited.

Structural Modifications: The City of San Marcos will make reasonable modifications required to achieve compliance through the City's transitional plan.

Individuals requiring an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of the City of San Marcos should contact the office of the ADA Coordinator (512) 393-8000 (Voice/711Texas Relay Service) or ADArequest@sanmarcostx.gov as soon as possible but no later than 72 hours before the scheduled event.

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

ADA Reasonable Accommodation requests that a program, service, or activity of the City of San Marcos is not accessible to persons with disabilities should be directed to the ADA Coordinator (512) 393-8000 (Voice/711Texas Relay Service) or ADArequest@sanmarcostx.gov. See "[ADA Reasonable Accommodation](#)" on the City's website at www.sanmarcostx.gov.

The City of San Marcos will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



CITY OF SAN MARCOS

AMERICANS WITH DISABILITIES ACT

REASONABLE ACCOMMODATION PROCEDURE

If an individual would like to request access to programs, services, or facilities they may complete resolved, an individual may file a grievance in writing by contacting the ADA Coordinator, 630 E Hopkins, San Marcos, TX 78666 (512) 393-8000 (Voice/711 Texas Relay Service), Fax (512)-393-8074, or email ADArequest@sanmarcostx.gov. The City's ADA Coordinator is available to disabled persons requiring assistance to file a grievance. The City's communications regarding the grievance will be in a format accessible to the grievant.

The procedure to request a reasonable accommodation is as follows:

1. A written request can be filed using the "[ADA Reasonable Accommodation](#)" request form found on www.sanmarcostx.gov. If the request is not filed on the ADA Reasonable Accommodation Form, it should contain the following information:
 - a. The name, address, and telephone number of the person filing the request.
 - b. A description of the accommodation.
 - c. Describe how this accommodation will assist you.
 - d. Request should be received least business days prior to requested accommodation.
2. Review of the Request.
3. Citizen will be notified that the request will be accommodated or denied.

The reasonable accommodation will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City.

File Maintenance

The City's ADA Coordinator shall maintain ADA Reasonable Accommodations for a period of three years.

For More Information, Contact:

City of San Marcos
ADA Coordinator
630 E Hopkins, San Marcos, TX 78666

ADArequest@sanmarcostx.gov

(512) 393-8000 (Voice/711 Texas Relay)



CITY OF SAN MARCOS

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

City of San Marcos grievance procedure allows for a prompt and equitable resolution of grievance alleging any action that is prohibited by Title II of the Americans with Disabilities Act (hereinafter "ADA").

In the event a request for access to programs, services, or facilities cannot be resolved, an individual may file a grievance in writing by contacting the ADA Coordinator, 630 E Hopkins, San Marcos, TX 78666 (512) 393-8000 (Voice/711 Texas Relay Service), Fax (512) 393-8074, or email ADAcoordinator@sanmarcostx.gov. The City's ADA Coordinator is available to disabled persons requiring assistance to file a grievance. The City's communications regarding the grievance will be in a format accessible to the grievant.

The procedure to file a grievance is as follows:

4. A written grievance should be filed on the "[ADA Grievance](#)" form on the City's website at www.sanmarcostx.gov. If the ADA Grievance request form is not used the request should contain the following information:
 - a. The name, address, and telephone number of the person filing the grievance.
 - b. The name, address, and telephone number of the person of other interested parties.
 - c. A description of the alleged violation and the remedy sought.
 - d. Information regarding whether a complaint has been filed with other federal or state civil rights agency or court.
 - e. If a complaint has been filed, the name of the agency or court where the complaint was filed, the date the complaint was filed, and the name, address and telephone number of a contact person with the agency with which the complaint was filed.
5. The grievance will be either responded to or acknowledged within 20 working days of receipt.
6. Within 15 calendar days of receipt, the ADA Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance will be documented in the City's ADA Grievance File.
7. If an informal resolution of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the ADA Coordinator and a copy forwarded to the grievant no later than 30 days from the date of the City's receipt of the grievance.
8. The grievant may request reconsideration if he/she is dissatisfied with the written determination. The request for reconsideration shall be in writing and filed with the City Manager, 630 E Hopkins, San Marcos, TX 78666 within 30 days after the ADA Coordinator's determination has been mailed to the grievant. The City Manager shall review the request for reconsideration and make a final determination within 90 days from the filing of the request for reconsideration.

9. If the grievant is dissatisfied with the City's handling of the grievance at any stage of the process, or does not wish to file a grievance through the City's ADA Grievance Procedure, the grievant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City.

File Maintenance

The City's ADA Coordinator shall maintain ADA grievance files for a period of three years.

For More Information, Contact:

City of San Marcos
ADA Coordinator
630 E Hopkins, San Marcos, TX 78666

ADAcoordinator@sanmarcostx.gov

(512) 393-8000 (Voice/711 Texas Relay)

In addition to this Grievance Procedure for city services, programs, or facilities, the City of San Marcos has also enacted complaint process for its employment and personnel policies. Complaints related to the City's employment and personnel policies should be directed to the Director of Human Resources as established by written procedures.