

CITY OF LAKE QUIVIRA KANSAS  
AMERICANS WITH DISABILITIES ACT STATEMENT

PURPOSE

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute designed to remove barriers which prevent individuals with disabilities from their legitimate right to the same employment opportunities and access to public accommodations, transportation, communication, recreation and generally to public services. For the purpose of this policy the City defines “disability” as (an individual who has) a physical or mental impairment that substantially limits one or more major life activities or has a record of such an impairment, or is regarded as having such an impairment.

POLICY

It is the policy of the City of Lake Quivira to recognize the importance of granting people with disabilities their rights to equal consideration in employment and access to all public accommodations and services. The City recognizes that discrimination against those with disabilities denies those individuals these rights. It is a high priority of the City to treat all individuals fairly and equally by providing equal employment opportunity and that all daily employment matters are carried out in a fair and equitable manner. Furthermore, it is equally important to ensure that all public and City facilities, whether used by the public or employees, are reasonably accessible to people with disabilities.

A. EMPLOYMENT

All personnel practices within the City shall abide by this policy and represent at the best of their abilities the code and practices of the Americans with Disability Act (ADA). The City of Lake Quivira shall comply with the following measures to promote and ensure equal opportunity for all, without regard to disability:

1. The City shall strive to ensure that all qualified individuals with disabilities, who, with or without reasonable accommodation, and who can perform the essential functions of the employment position, are considered equally to other applicants who are not disabled.

2. The City will make reasonable accommodations in its employment decisions, unless such accommodations cannot be accomplished without undue hardship to the conduct of the City's mission and business.

**B. ACCESS TO FACILITIES AND PUBLIC SERVICES**

It is the policy of the City of Lake Quivira to ensure that all of its facilities, public services, programs, and activities are accessible to the disabled within the standards established by federal and state law. All services and activities provided by the City shall be administered without regard to race, color, religion, age, national origin, disability, or low income.

Employees of the City will be educated on the requirements of the ADA and directed to ensure that reasonable accommodations are made whenever feasible. Any established and proven act of discrimination of an employee or agent of the City of Lake Quivira regarding facilities and services shall be grounds for disciplinary action, including dismissal. Such disciplinary action shall be in addition to any penalties imposed through due process of law.

**C. ADA COORDINATOR**

The ADA Coordinator is assigned the duties and responsibilities of maintaining documentation and procedures for this policy and working with other City staff on issues related to implementation of ADA requirements. The ADA Coordinator for the City of Lake Quivira has been designated as the Acting Council President and can be contacted by telephone at (913) 631-5300, or at City Hall, 10 Crescent Boulevard, Lake Quivira, Kansas 66217.

The ADA Coordinator will continually strive to communicate the importance of the City's obligation and policy of ADA compliance in regards to equal employment opportunities, public accommodations, and services to its employees.

**PROCEDURE**

**A. PROCEDURE TO REQUEST ACCOMODATION**

Individuals needing accommodation should make their requests to the following City employees:

- Current Acting Council President
- City Clerk

**B. COMPLAINT PROCEDURE:**

It is the right of every individual who feels aggrieved through discrimination on the basis of race, color, religion, sex, age, national origin, disability, or low income to have the

opportunity to file complaints with the City, State or beyond. The City of Lake Quivira, Kansas, adopts an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

To file a complaint with the City of Lake Quivira, please address a written complaint to the Current Acting Council President, 10 Crescent Boulevard, Lake Quivira, Kansas 66217, (913) 631-5300, who has been designated to coordinate ADA compliance efforts.

1. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation and account of all the names of the alleged victims.
2. A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation.
3. After the complaint is filed, an investigation shall be conducted by the Current Acting Council President or designee. These rules contemplate informal but thorough investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Current Acting Council President and a copy forwarded to the complainant no later than fifteen (15) days after its filing.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within seven (7) days to the City Mayor, who will review the case and make a written decision within fifteen (15) working days of receipt of the request for reconsideration. A copy of the decision shall be forwarded to the complainant.
6. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

7. The complainant may, at any time during the course of settlement of the complaint, withdraw the complaint by written notification to all parties involved. Such withdrawal shall not jeopardize the right of any person complained against from seeking legal relief of slander, libel, or false accusation, if such action is believed warranted.
8. The Current Acting Council President shall maintain the files and records of the City of Lake Quivira, Kansas, relating to complaint files.
9. The complainant may, at any time within six (6) months from the date of the alleged act of discrimination, file a grievance with the Equal Opportunity Office, Department of Interior, Washington, D.C. Further, the complainant shall have full recourse to all remedies of law in seeking satisfactory disposition of any alleged act of discrimination.
10. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City of Lake Quivira, Kansas, complies with the ADA and implementing regulations.

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Wayne Hidalgo, Mayor

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Diane Newton, City Clerk

*Effective Date:* \_\_\_\_\_

*Revision Date:* \_\_\_\_\_