



CITY OF BLOOMINGTON REASONABLE ACCOMMODATION POLICY FOR MEMBERS OF THE PUBLIC

POLICY STATEMENT:

The City of Bloomington (City) is committed to creating and maintaining an environment that is equitable and inclusive for people with disabilities. The City does not discriminate against a qualified person with a disability or exclude or deny the benefits of its services, programs, or activities to a qualified person because of a disability. The City will provide a reasonable accommodation or modify its policies and programs to allow people with disabilities to participate in all City services, programs, or activities. However, the law does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden on the City.

AUTHORITY:

Federal and State law requires the City to ensure equal access to its services, programs, or activities and prohibits the City from discriminating against a person because of a disability. Federal and State laws include:

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against people with disabilities in programs that receive federal financial assistance. 29 U.S.C. § 794.

Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability in all services, programs, or activities provided to the public by local governments. The ADA calls for removing barriers and providing reasonable accommodations so that people with disabilities may fully participate in the same city programs, services, or activities to which people without disabilities have access to. 42 U.S.C. § 12132.

The Minnesota Human Rights Act prohibits discrimination in the access to, admission to, full utilization of or benefit from any public services because of a disability. Public services must ensure physical and program access for people with disabilities. Minn. Stat. § 363A.12.

POLICY:

Qualified Disability: is defined as (1) a physical or mental impairment that substantially limits one or more of the major life activities of an individual, (2) the individual has a record of such an impairment, or (3) the individual is regarded as having such an impairment as defined in Section 35.108 Definitions of the ADA.

Effective Communications: the City will provide appropriate auxiliary aids and services to make sure individuals with speech, hearing, and vision disabilities can understand what is said or written in City communications and can communicate effectively with the City. The City utilizes: MN Relay 711, assisted listening devices and systems, qualified sign language interpreters, either in person or through video remote interpreting, or other services, as agreed upon by the individual and the City.

Modifications of policies, programs, or procedures: the City will make reasonable modifications to policies, programs, or procedures when the modification is necessary to ensure qualified people with disabilities have an equal opportunity to participate in the City's services, programs, or activities. The City is not required to modify policies, programs, or procedures when the modification would fundamentally alter the nature of the service, program, or activity or cause undue financial or administrative burdens.

Meeting/Event Accessibility: the City will ensure its meetings and events are accessible for people with a disability. The City will post information on all official agendas and meeting notices with contact information to request a reasonable accommodation.

Service animals: Service animals, as defined by the ADA, are permitted in all City facilities and areas.

Guidelines on how to evaluate a reasonable accommodation request: the City will review all requests for reasonable accommodations, and where the request for an accommodation is unclear, will ask the individual for additional information by engaging in an interactive process. When the City is considering different possible accommodations, the City will discuss the effectiveness of the proposed accommodations with the individual. The City will deliver the approved accommodation as soon as possible, unless extenuating circumstances apply.

The City has a designated coordinator to facilitate compliance with this policy and Federal and State laws. For information, contact:

ADA Coordinator, City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431-3027
952-563-8733 or MN Relay 711
accessibility@bloomingtonmn.gov
www.bloomingtonmn.gov

To request a reasonable accommodation, the City has created a Reasonable Accommodation Request Form, attached as Exhibit A.

GRIEVANCE PROCEDURE:

The City has established a grievance procedure to comply with Title II of the ADA and Section 504 of the Rehabilitation Act. 28 C.F.R. § 35.107(b). Anyone may use this procedure to file a complaint that a City program, service, or activity is not accessible to a person with a disability or the City has denied access to a program, service, or activity because of a person's disability.

A person may file a grievance against the City using the Grievance Form, attached as Exhibit B. If a person does not use the Grievance Form, the person should file a grievance in writing. The person should include the following information in the grievance:

- The name, address, and contact information of the person filing the grievance;
- The name, address, and contact information of the person with the grievance, if other than the person filing the grievance;
- A description of the grievance, including the location, date, and remedy sought; and
- Whether the person has filed the grievance with any other federal or state civil rights agency or court.

The City will make alternative ways to file a complaint available to you as a reasonable accommodation request when necessary.

Please submit the Grievance Form as soon as possible, preferably within 30 calendar days of the alleged violation to:

Online form at www.blm.mn; keyword: Grievance
Or to:

ADA Coordinator
City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431
952-563-8733 or MN Relay 711
accessibility@BloomingtonMN.gov

Within 5 business days after the City receives the Grievance Form, the City's ADA Coordinator will contact you to discuss your complaint and possible resolutions. After this discussion, the ADA Coordinator will investigate your complaint and provide a written response and possible resolutions to you within an additional 5 business days. If the City does not have sufficient information after the initial discussion, the ADA Coordinator will provide a written response explaining what additional information the City need, as well as an estimate of the time it will take for the City to provide a substantive written response to you. The City will then provide you with a substantive written response that will explain the City's position and offers options for a substantive resolution.

If the City's response does not resolve the issue, you may appeal the decision within 25 calendar days after the City mailed, emailed, or faxed its response to you. The City Manager or designee will hear your appeal. You must mail or hand deliver your appeal to:

City Manager
1800 West Old Shakopee Road
Bloomington, MN 55431
citymanager@bloomingtonmn.gov

Within 10 business days after the City Manager or designee receives your appeal, the City Manager or designee will contact you to discuss the appeal and possible resolutions. Within 10 business days after the City Manager or designee contacts you, the City will respond in writing with a final written response to your complaint. If you are not satisfied with City's handling of the complaint at any point, you may file a complaint with the U.S. Department of Justice or other appropriate state or local agency.

Resolutions of grievances are based on the unique facts and circumstances of the situation and does not create any precedent that would bind the City's actions in the future.

The City will retain all reasonable accommodation requests, written complaints, appeals to the City Manager, and responses according to the City's records retention policy and schedule.

THIS POLICY APPLIES TO:

All individuals seeking access to City services, programs, or activities.

DocuSigned by:
James D. Verbrugge
46BAC1F15829460...
James D. Verbrugge, City Manager

January 20, 2021
Effective Date

Exhibit A

REASONABLE ACCOMMODATION REQUEST FORM FOR MEMBERS OF THE PUBLIC

Please complete this form to request a reasonable accommodation to access the City of Bloomington’s services, programs, or activities. Within 10 business days of the City’s receipt of this form, the ADA Coordinator and appropriate staff will review your request. During the evaluation process, the City may follow-up with you and engage in an interactive process to gather additional information about your reasonable accommodation request and to determine what will allow you access to the City’s services, programs, or activities.

ACTIVITY

Description of desired service, program, or activity: _____

City Department/Division involved, if known: _____

Date(s) access needed: _____

The City requests a minimum of 10 business days lead time. If you need assistance sooner, please call the City’s Outreach and Engagement Division at 952-563-8733.

REQUESTED REASONABLE ACCOMMODATION:

What action(s) would you like the City to take to assist you: _____

(DO NOT PROVIDE ANY INFORMATION THAT IS NOT RELATED TO YOUR REQUEST FOR REASONABLE ACCOMMODATION. DO NOT PROVIDE COPIES OF MEDICAL RECORDS. Please note the City is not required to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden on the City.)

PERSON NEEDING REASONABLE ACCOMMODATION

Name _____

Address _____

City _____

State _____ Zip _____

Telephone _____ Type _____

Second Phone _____ Type _____

Email _____

PERSON MAKING REASONABLE ACCOMMODATION REQUEST (if different from person needing reasonable accommodation)

Name _____

Address _____

City _____

State _____ Zip _____

Telephone _____ Type _____

Second Phone _____ Type _____

Email _____

Same as person needing a reasonable accommodation

I understand that the City of Bloomington will use information I provide on this form to process my request for a reasonable accommodation. Some of the requested information may be public or private data and may be available to me and City employees who need to have this information to perform their duties. I understand my private data will not be available to the public. The City may also share private data as required by law. Minors have the right to request the City deny parental access to their private data. I understand that I am not legally required to provide this information, but if I do not provide it, the City may not be able to process my request for a reasonable accommodation.

Signature

Date

Print Name

Exhibit B

REASONABLE ACCOMMODATION GRIEVANCE FORM FOR MEMBERS OF THE PUBLIC

Please complete this form to file a complaint that a City program, service, or activity is not accessible to a person with a disability, or that the City has denied access to a program, service, or activity because of a person's disability.

PERSON MAKING THE COMPLAINT

Name _____

Address _____

Apartment No. _____

City _____

State _____ Zip _____

Telephone _____ Type _____

Second Phone _____ Type _____

Email _____

PERSON NEEDING A REASONABLE ACCOMMODATION OR BEING DENIED ACCESS TO A CITY PROGRAM, SERVICE, OR ACTIVITY (other than person making the complaint)

Name _____

Address _____

Apartment No. _____

City _____

State _____ Zip _____

Telephone _____ Type _____

Second Phone _____ Type _____

Email _____

ALLEGED VIOLATION

City Department/Division involved, if known _____

Date(s) of occurrence _____

Requested action of the City to correct alleged violation _____

Have you filed the complaint another federal, state, or local civil rights agency or court? Yes No

Name of Agency: _____ Date Filed: _____

Additional Comments _____

I understand that the City of Bloomington will use information I provide on this form to process my complaint. Some of the requested information may be public or private data and may be available to me and City employees who need to have this information to perform their duties. I understand my private data will not be available to the public. The City may also share private data as required by law. Minors have the right to request the City deny parental access to their private data. I understand that I am not legally required to provide this information, but if I do not provide it, the City may not be able to process my complaint.

Signature

Date