

## **Instructions for Filing an ADA Complaint**

### **General Information**

The Americans with Disabilities Act (ADA) requires that the City of Pearland Parks & Recreation Department make its facilities, programs and services accessible to persons with disabilities in accordance with the standards of the ADA. If an individual feels that he or she has been unable to access a City of Pearland facility, program or service because of a lack of accessibility or has been discriminated against because of a disability, the individual should fill out the ADA Complaint Form.

### ADA Complaint Form

This form may be completed online and returned via email or mail.

### **Complaint Procedure**

#### Step 1: File a Complaint Form

The complainant should fill out the ADA Complaint Form, giving all of the information requested. The signed ADA Complaint Form should be filed in writing with the Assistant Director within 60 days of the alleged disability-related discrimination complaint. Upon request, reasonable accommodation will be provided to complete the form, including in an alternate format.

Complete the ADA Complaint Form and mail to:  
Kevin Carter  
Parks & Recreation Assistant Director  
4141 Bailey Rd.  
Pearland, TX 77581  
Phone: (281) 412-8900

Or email to: [Kcarter@pearlandtx.gov](mailto:Kcarter@pearlandtx.gov)

The complainant should make certain that the form is signed, regardless of how it is submitted.

#### Step 2: An Investigation is Conducted

A notice of receipt shall be mailed to the complainant by email or certified mail within five days of the receipt of the complaint. The Assistant Director shall begin an investigation into the merits of the complaint within 15 days and schedule a face-to-face meeting with the complainant to review the complaint information and to obtain additional facts or documentation relevant to the complaint. If the complainant alleges misconduct on the part of the Assistant Director, another authorized

representative may be appointed by the Director at his/her discretion to conduct the investigation.

### Step 3: A Written Decision is Prepared and Forwarded to the Complainant

The Parks & Recreation Department (or other representative designated by the Director) shall prepare a written decision, and when appropriate, in a format accessible to the complainant, after full consideration of the complaint merits, no later than 60 days following the receipt of the complaint. A face-to-face meeting will be scheduled with the complainant to present and review the written decision. A copy of the complaint, written decision and responses shall be provided to the complainant and retained in the Parks & Recreation Department for a period of three years.

### Step 4: A Complainant May Appeal the Decision

If the complainant is dissatisfied with the written decision, the complainant may file a written appeal with the Director no later than 30 days from the date of the mailing of the decision. The appeal must contain a statement of the reasons why the complainant is dissatisfied with the written decision, and must be signed by the complainant, or by someone authorized to sign on the complainant's behalf. As part of the appeal, the complainant can request a meeting with the Director to review the details of the appeal and provide additional information. A notice of receipt shall be mailed to the complainant by certified mail within five days of the receipt of the appeal.

The Director shall act upon the appeal no later than 60 days after receipt and a copy of the Director's written decision, and where appropriate, in a format accessible to the complainant, shall be mailed to the complainant by certified mail no later than five days after preparation of the decision. The decision of the appeal reviewer shall be final. A copy of the written appeal and decision shall be maintained in the Parks & Recreation Department for a period of three years.

### Filed Complaints

The Parks & Recreation Department shall maintain the confidentiality of all files and records relating to complaints filed, unless disclosure is authorized or required by law or permission is given by the complainant to release the information. Any retaliation, coercion, intimidation, threat, interference or harassment for the filing of a grievance, or used to restrain a complainant from filing, is prohibited and should be reported immediately to the Parks & Recreation Department.

The ADA Complaint Form and process are designed to provide the public with the opportunity to effectively resolve any ADA issues that an individual may have with the City of Pearland Parks & Recreation Department. Filing an ADA complaint or not with the City of Pearland Parks and Recreation Department does not affect an individual's

right to file a complaint with the Department of Justice.

For ADA concerns with organizations other than the City of Pearland Parks & Recreation Department, please contact the Department of Justice at 1-800-514-0301 or visit their website at [www.ada.gov](http://www.ada.gov).