



ADA Grievance Procedure

Policy:

It is the goal for the San Bernardino International Airport Authority (SBIAA) to provide access to the San Bernardino Airport (SBD) and the services associated with its operation to persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 (Section 504). Oversight of compliance activities is the responsibility of the ADA Coordinator and all inquiries concerning SBD's effort to make SBD and the services associated with the operations of SBD's accessible to persons with disabilities should be directed to:

Amber Setian, ADA Coordinator
1601 E. Third Street, Suite 100
San Bernardino, CA 92408
(909) 382-4100, asetian@sbdairport.com

Pursuant to Title II of the ADA and implementing regulations at 28 C.F.R. 35.107, and pursuant to Section 504 and implementing regulations at 49 C.F.R. 27.13, SBD has established the following formal grievance procedure to be used by the persons to allege a violation of the ADA or Section 504. The Grievance Procedure is intended to provide for the prompt and equitable resolution of complaints alleging prohibited discrimination on the basis of disability. Individuals are not required by federal regulations to use the Grievance Procedure but may file complaints directly with the appropriate enforcement agency. The filing of a complaint pursuant to this Grievance Procedure does not constitute a claim pursuant to California Government Code Section 900, et seq.

Grievance Procedure:

Filing and Contents of a Grievance Form: The complaint should be documented in writing on a SBIAA Grievance Procedure Form:

1. The complainant's name, address, phone number, and other means by which the complainant may be contacted
2. Identification of individual(s) or organization(s) responsible for the alleged discrimination
3. A description of the complainants' allegations, which must include enough detail to determine whether SBD has jurisdiction over the complaint and if the complaint was timely filed
4. The specific prohibited base(s) of alleged discrimination
5. The complainant's signature or signature of their authorized representative



In the event that a person makes a verbal complaint of discrimination to an SBD employee, the complainant shall be interviewed by the ADA Coordinator. If necessary, the ADA Coordinator will assist the complainant in reducing the complaint to writing and will submit the draft Grievance Form to the complainant for review of accuracy. If a complainant is unable to complete the Grievance Form due to disability or limited-English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Any person who desires to file a Grievance Form and does not have access to the Internet or the ability to pick up a Grievance Form will be mailed one to complete.

Filing Timeframe:

The Grievance Form should be submitted as soon as possible, but no later than 180 calendar days after the alleged violation. SBD may extend the time for filing or waive the time limit in interest of justice, specifying in writing the reason for so doing. The filing date is the date the person completes, signs, and submits the Grievance Form. Strict confidentiality of all information provided will be maintained to the extent permitted by law. Sharing of information, including identity, will be done only as required by law or as needed to resolve the grievance. Please be advised that SBD is obligated to comply with the California Public Records Act, California Government Code, Section 6250, et seq.

Notice of Receipt:

All Grievance Forms shall be referred to SBD's ADA Coordinator for review and action. Within 10 calendar days of receipt of the Grievance Form, the ADA Coordinator shall issue an initial written Notice of Receipt.

Processing:

The ADA Coordinator will receive, manage, and make a determination on all filed grievances. The ADA Coordinator will attempt to discuss the issues with the grievant and the concerned department(s) and will attempt to resolve the complaint informally. Investigations will generally be completed within 90 calendar days from receipt of a completed Grievance Form. If more information is needed to resolve a grievance, the ADA Coordinator may contact the complainant and request more information. If the requested information is not received within 15 calendar days from the date of the request, the ADA Coordinator may administratively close the complaint. A complaint may also be administratively closed if the complainant no longer wishes to pursue the matter.



At the conclusion of the resolution process the ADA Coordinator will send the complainant and the concerned department(s) a final response and notice of outcome along with a description of the appeals process.

Appeal:

If the ADA Coordinator's final response does not satisfactorily resolve the matter, the complainant and/or authorized representative may appeal it, in writing to:

Catherine Pritchett, Director of Administration
1601 E. Third Street, Suite 100
San Bernardino, CA 92408
CPritchett@sbdairport.com

An appeal, including a detailed description of its bases, must be filed no later than 30 calendar days after the date of the ADA Coordinator's final response. Within 30 calendar days after receipt of the appeal, the Director of Administration or their designee shall attempt to meet with the complainant to discuss the complaint and possible resolutions. Within 60 calendar days after the filing of the appeal, the designee shall respond, in writing, with a final resolution of the complaint.

Recordkeeping:

SBD will maintain the following materials for a period of (3) years: (1) Grievance Forms received by the ADA Coordinator; (2) final responses of the ADA Coordinators; (3) appeals to the designee and (4) final resolutions by the Director of Administration.

The SBD's ADA Policy Statement and Grievance Procedure is available on SBD's website at flysbd.com and is available in hardcopy is available upon request by contacting the ADA Coordinator.