



## KAUFMAN COUNTY AMERICANS WITH DISABILITIES ACT POLICY

1. **Purpose.** The purpose of this Policy is to comply with the Americans with Disabilities Act (hereinafter "ADA" or "Act") and to assure that persons with disabilities have equal access to County facilities, services, programs, activities and employment. The County's ADA Coordinator is appointed by the Kaufman County Commissioners Court.
2. **Public Notice Non-Discrimination Statement.** The Notice attached hereto as Appendix "A" will be posted at all County facilities and on the County's website.
3. **Responsibilities of the ADA Coordinator will include:**
  - A. Familiarity with the ADA and applicable Department of Justice regulations.
  - B. Monitoring the County's compliance with the ADA and applicable Department of Justice regulations.
  - C. Coordination of accommodation for visitors and employees.
  - D. Serving as the contact person for people who need information about the ADA.
  - E. Educating County officials and employees about their responsibilities under the ADA.
  - F. Coordination of Self-Evaluations and barrier identification.
  - G. Assuring that grievances are timely and properly handled.
4. **Grievance Procedure.** The ADA Grievance Procedure to be followed is attached hereto as Appendix "B."
5. **Self-Evaluations.**
  - A. Periodic self-evaluations will be conducted of the County, which include physical facilities, programs, services and activities.
  - B. Items to be evaluated under self-evaluation include:
    1. Buildings and facilities.
    2. Services.
    3. Programs.
    4. Employment policies.
    5. Parking.
    6. Information Access.



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C. A self-evaluation team is established. The team will consist of the ADA Coordinator, the County Engineer or his/her designee, and the Director of Building Maintenance or designee.

D. The self-evaluation team shall prepare a self-evaluation report. The report will be presented to the Commissioners Court for consideration and action.

### 6. Barriers.

A. When a barrier is discovered that may prohibit an ADA qualified person from participating in a program, activity, access to a facility, communication with others, etc., the ADA Coordinator shall be notified as soon as possible in writing.

B. Once a barrier is discovered and reported, a plan and schedule to eliminate the barrier will be set into place with corrective action being taken as soon as possible. For architectural or physical barriers, involvement of the County Engineer's Office and the Maintenance Department will be necessary.

C. A report shall be made identifying the barrier and the steps taken to correct it.

### 7. Record Retention Process. The following records shall be retained for a minimum of three years:

A. Self-Evaluation Reports

B. Descriptions of modifications made, or corrective actions taken in response to self-evaluation.

C. Reports regarding identified barriers and actions taken with regard thereto.

D. Grievances and the action taken thereon.

### 8. Limitations.

A. The processes and protections set forth herein are intended for the benefit of qualified disabled persons protected under the Act. The County will only make reasonable modifications that do not fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

B. The County need not make reasonable modifications if, even after the modification, the individual would still pose a direct threat to the health or safety of others. "Direct threat" means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.

C. This policy is not intended to and shall not extend the obligations or potential liabilities of the County beyond those provided for by the Act and the lawful regulations adopted under the Act.



**AMERICANS WITH DISABILITIES ACT and SECTION  
504 OF THE REHABILITATION ACT OF 1973  
NONDISCRIMINATION STATEMENT**

**Kaufman County does not discriminate against any qualified disabled person solely by reason of his or her disability, exclude from participation in, deny the benefits of, or otherwise subject individuals to discrimination, including discrimination of employment, under any program or activity that receives or benefits from federal financial assistance.**

**Additionally, Kaufman County ensures its programs will be conducted, and its facilities operated, in compliance with all non-discriminatory practices and requirements imposed by or pursuant to 49 Code of Federal Regulations (CFR) Part 27, 28 CFR Part 35 and 42 USC §§ 12101 – 12213**

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**Judge Jakie Allen**

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**Date**

## APPENDIX B



# Kaufman County

## Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Kaufman County. The Kaufman County Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination, such as the name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for people with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

**Shelley Tackett**

**ADA Coordinator/Human Resources**

**100 North Washington Street, Kaufman, Texas 75142**

Within 15 calendar days after receipt of the complaint, *Shelley Tackett* or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, *Shelley Tackett* or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of *Kaufman County* and offer options for substantive resolution of the complaint.

**If the response by *Shelley Tackett* or *her* designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Kaufman County Judge or *his* designee.**

**Within 15 calendar days after receipt of the appeal, the Kaufman County Judge or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Kaufman County Judge or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.**

**All written complaints received by *Shelley Tackett* or *her* designee, appeals to the Kaufman County Judge or *his* designee, and responses from these two offices will be retained by Kaufman County for at least three years.**

## NOTICE UNDER THE AMERICANS WITH THE DISABILITIES ACT

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

**Employment:** Kaufman County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

**Effective Communication:** Kaufman County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Kaufman County programs, services, and activities.

**Modifications to Policies and Procedures:** Kaufman County will make all 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 Kaufman County offices, even where pets are generally prohibited.

Anyone who requires auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Kaufman County, should contact the office of **Shelley Tackett, ADA Coordinator, 972-376-4542, Human Resources Office, 100 North Washington Kaufman, Texas 75142** as soon as possible but no later than 72 hours before the scheduled event.

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

Complaints that a program, service, or activity of Kaufman County is not accessible to people with disabilities should be directed to **Shelley Tackett, ADA Coordinator, 972-376-4542, Human Resources Office, 100 North Washington, Kaufman, Texas 75142**.

Kaufman County 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 people who use wheelchairs.