**Section 575.40 Grievances**

a) Who May File a Grievance. A grievance may be filed by any individual who believes that he or she or a specific class of individuals has been subjected to discrimination on the basis of disability by the Department and/or an entity which administers programs, services or activities on behalf of the Department under a contract, a grant or any other legally binding agreement.

b) Filing Grievance. A grievance shall be filed with the Department not later than 180 calendar days from the date of the alleged discrimination. The complaint shall be submitted on the Department's grievance form which can be obtained by contacting the Department's Designated Coordinator. The grievance form shall be sent by certified mail, return receipt requested within 5 working days after receipt of the request.

1) The grievance form shall include:

A) the complainant's name, address and telephone number;

B) the best means and time for contacting the complainant;

C) the program, service or activity which was denied the complainant or in which alleged discrimination occurred;

D) date of alleged discrimination;

E) nature of alleged discrimination;

F) dated signature of complainant, certifying that he/she is qualified or otherwise eligible to participate in the program, service or activity and that all information on the form is true to the best of the complainant's knowledge and belief.

2) If the grievance is based on the denial of a requested reasonable modification, the following information shall also be completed on the form:

A) reasonable modification requested;

B) date reasonable modification was requested;

C) person to whom request was made;

D) estimated cost of modification (if known);

E) why the requested modification is necessary to use or participate in the program, service or activity;

F) alternative modifications which may provide accessibility; and

G) any other information complainant believes will aid in a fair resolution of the grievance.

c) Resolution of Conflict. The Designated Coordinator shall investigate the grievance and, based upon the information obtained during the investigation and the information submitted by the complainant on the grievance form, shall render a written decision to the complainant and the Director within 10 working days after receipt of the grievance form.