

Section 504 Grievance Procedure for Disability Nondiscrimination

The James City County Board of Supervisors has adopted an internal grievance procedure by resolution dated December 10, 2019, providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) ((24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794, hereinafter referred to as "Section 504")). Section 504 states, in part, that "no otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development."

Complaints should be addressed to the following designated Section 504 compliance officer:

Barbara Watson
Assistant Director, Social Services
5249 Olde Towne Road
Williamsburg, VA 23188
(757) 259-3123

1. A complaint shall be filed in writing and contain the name and address of the complainant, and briefly describe the alleged violation of the regulations.
 2. A complaint shall be filed within 7 days after the complainant becomes aware of the alleged violation, processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.
 3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Barbara Watson. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, a reasonable opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), James City County need not process complaints from applicants for employment or from applicants for admission to housing.
 4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Barbara Watson and a copy forwarded to the complainant no later than 30 days after its filing.
 5. The Section 504 coordinator shall maintain the files and records relating to the complaints filed pursuant to this grievance procedure.
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6. The complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration shall be made within 7 days of the issuance of the written determination and shall be made in writing to Barbara Watson.
7. The right of a complainant to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the complainant's pursuit of other remedies such as the filing of a Section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that James City County complies with Section 504 and the applicable HUD regulations.

Date adopted by the Board of Supervisors: December 10, 2019
