

Your Rights under the Americans with Disabilities Act (ADA) 1990

ADA Title II Disability Discrimination Policy

Responsible Offices: ADA/Section 504 Coordinator



Authority

Section 504 of Rehabilitation Act of 1973. The Americans with Disabilities Act of 1990, as amended T.C.A. §4-3-2303. Federal ADA Title II regulations regarding public entities defined in 28 CFR Part 35. If any portion of this policy conflicts with applicable state or federal laws and regulations, that portion shall be considered void while the remainder of the document will apply.

Application

All qualified individuals with a disability (as defined under the ADA) seeking and meeting the essential eligibility requirements for the receipt of services or participation in programs or activities provided by TDOT, or access to or use of facilities under the ownership or control of TDOT.

Procedure

The Tennessee Department of Transportation hereby adopts the "ADA Title II/Section 504 COMPLAINT FORM," which can be downloaded by going to:

tn.gov/tdot/ADAComplaint

Qualified individuals with a disability (or a person acting on behalf of such qualified individuals) may make requests for reasonable accommodations or accessibility by contacting the ADA/Section 504 Coordinator listed below or by going to the web address noted above, or by sending information to the Department's ADA Coordinator:

 **Shanna Chevalier**
ADA/Section 504 Coordinator

 **12th Floor, James K. Polk Building**
505 Deaderick Street
Nashville, TN 37243

 **615-741-0465**
Tennessee Relay: 7-1-1

 **TDOT.ADACompliance@tn.gov**

Purpose

The purpose of this poster is to state the Tennessee Department of Transportation's (TDOT) plan of non-discrimination on the basis of disability of individuals for participation in or for receiving the benefits of services, programs, or activities or for access to or use of facilities owned or controlled by TDOT. TDOT also seeks to make available to individuals who desire relief under this policy notice of the procedures through which they may request a reasonable accommodation or, in the alternative request a remedy for discrimination as defined by Title II of the American with Disabilities Act.

Policy

It is the policy of the Tennessee Department of Transportation to prohibit discrimination against any qualified individual on the basis of disability in regards to the admission or access to, or treatment in, its programs, services or activities or accessibility to facilities within its ownership or control, TDOT shall comply with applicable requirements of Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, Title 28 of the Code of Federal Regulations Part 35, "Non-discrimination on the Basis of Disability in State and Local Government Services," as well as any other applicable law pertaining to disability non-discrimination.

It is the policy of TDOT to operate each service, program, or activity so that the service, program, or activity when viewed in its entirety, is readily accessible to and usable by qualified individuals with disabilities.

How Complaints are Investigated and Resolved

An investigation of a complaint will include an interview with the complainant to determine if there is a violation of this policy. Once the TDOT ADA/Section 504 Coordinator begins to investigate the complaint he/she will conduct a thorough and neutral investigation of all facts of the case. At the conclusion of an investigation, recommendations will be made for resolution to the complainant. The TDOT ADA/Section 504 Coordinator will send a copy of the original complaint filed and a letter concerning the findings and remedy chosen, if applicable, to the complainant(s) within sixty (60) calendar days of the receipt of the complaint. If the response from the ADA coordinator is not satisfactory to the complainant, he/she may appeal the decision within 15 days of receipt of the response from the ADA Coordinator.