CITY OF BELLAIRE

Section 504 Grievance Procedures & Due Process Standards

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in the federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), the City of Bellaire, TX hereby adopts the following policy and grievance procedures:

1. **Discrimination prohibited.** 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 (HUD).
2. The City of Bellaire, TX does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. The City of Bellaire's recruitment materials or publications shall include a statement of this policy in 1. above.
4. The City of Bellaire, TX shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-DR program, the City of Bellaire, TX shall ensure that they are provided with the information necessary to understand and participate in the CDBG-DR program.
6. **Grievances and Complaints**
   a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the City of Bellaire to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
   b. Complaints should be addressed to the Grants Administrator, email: grantsadmin@bellairetx.gov, mail: 7008 S. Rice, Bellaire, TX, 77401, or phone: (281) 662-8222 who has been designated to coordinate Section 504 compliance efforts.
   c. A compliant should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
   d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
   e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the City Attorney and/or the City's Human Resources Department. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
   f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by the City Attorney, and a copy forwarded to the complainant within fifteen (15) working days after the filing of the complaint where practicable.
   g. The Section 504 coordinator shall maintain the files and records of the City of Bellaire, TX relating to the complaint's files.
   h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Bellaire within then (10) working days after receipt of the written determination/resolution.
   i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S.

Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Bellaire, TX complies with Section 504 and HUD regulations.

As officers and representatives of the City of Bellaire, Texas, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

ADOPTED this 17th day of May, 2021.

Brant Gary
Interim City Manager

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

CITY OF BELLAIRE TEXAS