



PUBLIC NOTICE

NON-DISCRIMINATION BASED ON DISABILITY

COMMONWEALTH OF MASSACHUSETTS

Department of Developmental Services

500 Harrison Avenue

Boston MA 02118

The Department of Developmental Services advises its employees and the public that it does not discriminate on the basis of a person's disability in employment or in access to its programs, services, and activities. Elin Howe, Commissioner has designated Lorraine Woodson, Director of Diversity to coordinate ADA/504 efforts to comply with the requirements of Executive Order 526, the Americans with Disabilities Act, the federal Rehabilitation Act, and various other federal and state laws protecting the rights of people with disabilities.

All Inquiries, requests, and complaints should be directed to:

Lorraine Woodson, Director of Diversity, ADA/504 COORDINATOR
Department of Developmental Services
500 Harrison Avenue
Boston MA 02118

TELEPHONE NUMBER: 617 624-7530, TTY NUMBER: 617-624-7590: Fax# 617-624-7577

E MAIL ADDRESS: Lorraine.Woodson@state.ma.us

DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS) NON-DISCRIMINATION BASED ON DISABILITY Section 504 GRIEVANCE PROCEDURES

It is the policy of The Department of Developmental Services (DDS), not to discriminate on the basis of disability. DDS has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

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 DDS to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

GRIEVANCE PROCEDURE

These guidelines supplement and parallel federal and state laws designed to protect individuals with disabilities from any form of discrimination, including but not limited to the Federal Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act, as amended; Massachusetts General Laws, Chapter 151B; and Amendment Article 114 of the Massachusetts's Constitution. These guidelines apply to each Executive Office, agency, department, subdivision, board, or commission within the Executive Branch of state government, which recruits, hires, trains, promotes, transfers, lays off or terminates applicants, employees, consultants or interns. It further applies to any Authority or recipient of state funds, which voluntarily adopts a policy pursuant to Executive Order 526.

The following are guidelines for grievance procedures for complaints of disability based discrimination and denial of reasonable modification of the Agency's policies and procedures in the operation of its programs, activities and services.

The laws and regulations may be examined in the office of **Lorraine Woodson, ADA/504 Coordinator, at 500 Harrison Avenue Boston, MA 02118 TTY# 617-624-7590: Fax# 617-624-7577 or e-mail: Lorraine.Woodson@state.ma.us**

1. The above named person has been designated to coordinate the efforts of the organization to comply with the regulations:
2. A complaint must include the name and address of the person filing the complaint and a brief description of the alleged action prohibited by the laws and regulations and the date it allegedly occurred.
3. The complaint should be sent or filed in the office, of Lorraine Woodson, at the above address, within a reasonable amount of time, but no more than three hundred, [300], days, after the action alleged to be legally prohibited.
4. Lorraine Woodson shall investigate the complaint to determine its validity. These rules contemplate informal but thorough investigations, affording to all, and their representatives, if any, a meaningful opportunity to submit evidence relevant to the complaint.
5. Lorraine Woodson shall issue a written decision determining the validity of the complaint no later than thirty, [30], days after its receipt and issue a disposition of the outcome of the investigation. A corrective action plan where the complainant prevails and the circumstances warrant.
6. Lorraine Woodson shall maintain the files and records relating to complaints filed hereunder. (To be Named), may assist persons with the preparation and filing of complaints, participate in the investigation of complaints and notify the Commissioner of the resolution of the complaints.
7. Where the complainant notifies the ADA/504 Coordinator that she is dissatisfied with the decision or corrective action plan specified under item 4 above, the ADA/504 Coordinator shall forward the matter to the Secretariat ADA/504 Coordinator for review.
8. The Secretariat ADA/504 Coordinator shall review the entity's finding, decision and corrective action plan, conduct such additional investigation as s/he deems appropriate to the circumstances, and issue a written decision affirming, reversing or modifying the original decision and/or corrective action plan.
9. Prior to issuing a decision reversing or modifying a decision reviewed under items 7 and 8 above, the Secretariat ADA/504 Coordinator shall contact the Massachusetts Office on Disability (MOD) to discuss the merits of the grievance.
10. All negative decisions by the Secretariat ADA/504 Coordinator will be forwarded to MOD for review and possible modification. Negative decisions will not become final until 10 days after receipt by MOD.
11. The right of a person to the prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, such as the filing of a complaint with the MOD, the Massachusetts Commission Against Discrimination (MCAD), the appropriate federal Office for Civil Rights and/or any other federal and/or state entity or any state or federal court.
12. These rules shall be liberally construed to protect the substantial rights of interested persons, to meet appropriate due process standards and assure compliance with the law and regulations.

Note: The law and these guidelines protect the individual's right to file a complaint without retaliation. Retaliation against a person, who files a complaint, based on a reasonable belief that a violation has occurred, whether or not the allegation proves to be true is in itself illegal.

Elin Howe

(Commissioner)

500 Harrison Avenue Boston, MA 02118

(Address)

Department of Developmental Services

(Entity Name)

617-727-5608

(Telephone)

617-624-7590

(TTY)