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**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

**Americans with Disabilities Act: DCR Policy and Grievance Procedure**

- 1) It is the policy of the Virginia Department of Conservation and Recreation (DCR), in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), that:
  - DCR will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.
  - DCR will not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.
  - DCR will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.
- 2) Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of DCR, should contact the office of Human Resources as soon as possible but no later than 48 hours before the scheduled event.
- 3) The ADA does not require DCR to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.
- 4) DCR will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.
- 5) Oversight of ADA compliance is the responsibility of the ADA Coordinator(s) and all inquiries concerning DCR's efforts to make its programs and services accessible to persons with disabilities should be directed to:

**ADA Coordinator Name(s):**

**Contact Information:**

<p><b>Micah Fairchild</b> (Director of Human Resources)</p>	<p><b>Address:</b> Department of Conservation and Recreation 600 East Main Street – 24<sup>th</sup> Floor Richmond, Virginia 23219</p> <p><b>Phone / Fax:</b> 804-786-4556 / 804-371-0315</p> <p><b>E-mail:</b> <a href="mailto:micah.fairchild@dcr.virginia.gov">micah.fairchild@dcr.virginia.gov</a></p>
<p><b>Laura Ellis</b> (Risk Manager and Emergency Coordinator)</p>	<p><b>Address:</b> Department of Conservation and Recreation 600 East Main Street – 24<sup>th</sup> Floor Richmond, Virginia 23219</p> <p><b>Phone/Fax:</b> 804-786-9372 / 804-371-0315</p> <p><b>E-mail:</b> <a href="mailto:laura.ellis@dcr.virginia.gov">laura.ellis@dcr.virginia.gov</a></p>

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*State Parks • Soil and Water Conservation • Outdoor Recreation Planning  
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*

## **Virginia Department of Conservation and Recreation (DCR)** **Grievance Procedure under the Americans with Disabilities Act**

In addition to the above policy, in order to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"), DCR has also established the following grievance procedure to be used to allege violations of the ADA. ***Please note, individuals are not required to use this procedure before filing a complaint with a federal or state agency, or filing a lawsuit.*** This procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by DCR. Please be advised that the Virginia Department of Human Resource Management governs *employment-related* complaints of disability discrimination.

### **Procedures**

- 1) Allegations and/or complaints related to ADA concerns should be in writing and contain ***the following information*** about the alleged discrimination such as name, address, phone number of complainant(s), and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
- 2) The complaint should be submitted by the grievant and/or their designee as soon as possible but no later than 60 calendar days after the alleged violation.
- 3) Within 15 calendar days after receipt of the complaint, ***the ADA Coordinator or their*** designee will meet with the complainant to discuss the complaint and the possible resolutions.
- 4) Within 15 calendar days of the above meeting ***the ADA Coordinator or their*** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of DCR and offer options for substantive resolution of the complaint.
- 5) If DCR's response does not satisfactorily resolve the issue ***the ADA Coordinator or their*** designee will provide additional information for the complainant and/or their designee to voluntarily appeal the decision within 15 calendar days after receipt of the response. This appeal will be made to DCR's Deputy Director of Administration and Finance.
- 6) Within 15 calendar days after receipt of the appeal, DCR's Deputy Director of Administration and Finance will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, DCR's Deputy Director of Administration and Finance will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. This determination will be final.
- 7) All written complaints, responses, and appeals received through the above ADA process will be retained by DCR for at least three years and in accordance with any applicable laws, statutes, or policies governing record retention.

**Virginia Department of Conservation and Recreation (DCR)**  
**Grievance Form - Americans with Disabilities Act (ADA)**

This Complaint Form is designed to gather the necessary information to determine whether your complaint states a potential violation of ADA. Therefore, please answer each question as thoroughly and accurately as possible.

<b><i>Question</i></b>	<b><i>Complainant(s) Response</i></b>
<i>What is your affiliation with DCR?</i>	
<i>What is your email address?</i>	
<i>What is your telephone number?</i>	
<i>What is your preferred title for correspondence?</i>	
<i>On what date(s) did the alleged violation or concern take place?</i>	
<i>Briefly describe the basis of your complaint(s) as well as any specific remedy you are seeking:</i>	