

Name of Subrecipient/Local Public Agency

Section 504 – Rehabilitation Act of 1973 Americans with Disabilities Act of 1990

POLICY STATEMENT

The **County of Richardson, Nebraska**, will ensure that no qualified individual shall, solely on the basis of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of its programs, services, or activities as provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). **County of Richardson, Nebraska**, further ensures that every effort will be made to provide nondiscrimination in all of its programs or activities regardless of the funding source.

An individual with a disability is defined by the ADA as a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities,
- Has a history or record of such an impairment, or
- Is perceived by others as having such an impairment

AUTHORITIES

Section 504 of the Rehabilitation Act of 1973, as amended, provides that "No otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded for the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

49 CFR Part 27.13 - Designation of responsible employee and adoption of complaint procedures.

- (a) *Designation of responsible employee.* Each recipient shall designate at least one person to coordinate their efforts to comply with this part.
- (b) *Adoption of complaint procedures.* A recipient shall adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part and 49 CFR parts 37, 38, and 39. The procedures shall meet the following requirements:
 - (1) The process for filing a complaint, including the name, address, telephone number, and email address of the employee designated under paragraph (a) of this section, must be sufficiently advertised to the public, such as on the recipient's Web site;
 - (2) The procedures must be accessible to and usable by individuals with disabilities.
 - (3) The recipient must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response.

49 CFR Part 28.102 - Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation.

This part applies to all programs or activities conducted by the Department except for programs and activities conducted outside the United States that do not involve individuals with disabilities in the United States.

28 CFR Part 35 - Nondiscrimination on the Basis of Disability in State and Local Government Services. The purpose of this part is to implement subtitle A of Title II of the Americans with Disabilities Act of 1990 (ADA Amendments Act) which prohibits discrimination on the basis of disability by public entities.

49 CFR Part 27 - Nondiscrimination on the Basis of Disability in Programs and Activities Receiving Federal Financial Assistance.

The purpose of this part is to carry out the intent of Section 504 of the Rehabilitation Act of 1973 (29 USC 794) as amended, to the end that no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, 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.

49 CFR Part 28-140 - Employment

- (a) No qualified individual with disabilities shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Department.
- (b) The definitions, requirements, and procedures of Section 504 of the Rehabilitation Act of 1973 (29 USC 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

29 CFR Part 1614.101 – Federal Sector Equal Employment Opportunity.

It is the policy of the Government of the United States to provide equal opportunity in employment for all persons, to prohibit discrimination in employment because of race, color, religion, sex, national origin, age, disability, or genetic information and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency.

42 USC Part 12101-12213 - The Americans with Disabilities Act of 1990.

No covered entity shall discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

ADA Coordinator

Richardson County Board of Commissioners
Courthouse, Room 202
1700 Stone Street
Falls City, NE 68355

SECTION 504/ADA COORDINATOR RESPONSIBILITIES

See Attachment 1: Resolution 2010-2011-12

SECTION 504/ADA NOTICE TO PUBLIC (sample below)

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the **County of Richardson, Nebraska** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

County of Richardson, Nebraska does not discriminate on the basis of disability on the basis of disability in its hiring or employment practices and complies with the ADA Title I employment regulations.

County of Richardson, Nebraska will, upon request, provide auxiliary aids and services leading to effective communication for people with disabilities, including qualified sign language interpreters, assistive listening devices, documents in Braille, and other ways of making communications accessible to people who have speech, hearing, or vision impairments.

County of Richardson, Nebraska 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. For example, individuals with service animals are welcomed in **County of Richardson, Nebraska** offices, even where pets are generally prohibited.

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 **County of Richardson, Nebraska** should contact **County of Richardson, Nebraska** ADA Coordinator as soon as possible, but no later than 48 hours before the scheduled event.

Questions, complaints, or requests for additional information or accommodation regarding the ADA and Section 504 may be forwarded to the designated ADA and Section 504 compliance coordinator:

Contact Information:

Richardson County Board of Commissioners
c/o Richardson County Clerk
Courthouse, Room 203
1700 Stone Street
Falls City, NE 68355
Monday-Friday 8:30 a.m. to 5:00 p.m.
402-245-2911
clerk@richardsoncountyne.gov

SECTION 504/ADA SELF-EVALUATION

See Attachment #1 titled "Americans with Disabilities Act (ADA) update to Self-Evaluation of January 19, 1993"

SECTION 504/ADA TRANSITION PLAN

A review of the Self Evaluation will be done, and revisions will be made according to the findings of this evaluation with a project completion date of September 1, 2024.

COMPLAINT PROCEDURES

See Attachment #2 titled "ADA Grievance Procedures"

REASONABLE ACCOMMODATION PROCEDURES

See Attachment #3 titled "Reasonable Accommodation Procedures"

INFORMATION OF ACCESSIBLE FACILITIES AND PROGRAMS

Interested people, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities on the HOME page of the Richardson County website www.richardsoncountyne.gov.

ASSURANCES

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the **County of Richardson, Nebraska**, desiring to avail itself of federal financial assistance from the US Department of Transportation, hereby gives assurance that no qualified person shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The **County of Richardson, Nebraska**, further assures that its programs will be conducted, and its facilities operated, in compliance with all requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC 12101-12213.



Signature of Responsible Agency Official

Richardson County Board of Commissioners
John Caverzagie, Chairman

Name and Title of Responsible Agency Official (please print)

July 24, 2024

Date

**AMERICANS WITH DISABILITIES ACT (ADA)
UPDATE TO
SELF EVALUATION OF JANUARY 19, 1993
COURTHOUSE, RICHARDSON COUNTY**

This statement will serve as an addendum to the American with Disabilities Act (ADA) Self Evaluation of January 19, 1993 of the County Courthouse of Richardson County, Nebraska, located in Falls City, Nebraska

In 2003, a major addition was added to the north side of the Richardson County Courthouse, a structure that was completed and first occupied in 1924.

This new addition was constructed from an architectural design from the firm of Dennis J. Lyon, Architect of Lincoln, NE. The design was planned to remedy some of the requirements for handicap accessibility to the public facility.

The entrance, which has automated doors, was constructed so that it leads to designated handicap parking which is on the street level, no curbs or steps. After you make entrance to the building from the designated handicap entrance, a wide hallway with handrails leads to the Lower Level offices, an elevator is accessible then to the 1st, 2nd and 3rd floors of the Courthouse.

The 1st Floor of the Courthouse is also the location of the newly constructed handicap restrooms which were installed in 2004.

In the past couple of years, the curbing on the corners around the Courthouse square have been reconstructed to ADA compliance.

As stated in the January 19, 1993, report, the Richardson County Board of Commissioners serve as the ADA Coordinator for the County. They can be reached through the Office of the Richardson County Clerk, Courthouse, 1700 Stone Street, Falls City, NE 68355, telephone 402/245-2911.


Richardson County will continue to use the ADA Grievance Procedure as attached to this report and the report of January 19, 1993.


The Board also reaffirms that the County is making all activities and services in the Courthouse accessible and that the focus of the ADA Act is on making programs, not the buildings accessible. If a service in the building would not be accessible then relocating the service instead of a structural change would be the requirement in meeting it's accessibility. The County is not necessarily required to take steps that would fundamentally alter the nature of a service, or that would impose undue financial hardship or administrative burdens.

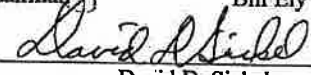
This report was compiled by Mary L. Eickhoff, Richardson County Clerk.

Approved August 24, 2010, by the ADA Coordinator:

RICHARDSON COUNTY BOARD OF COMMISSIONERS


James R. Sefried, Chairman


Bill Ely


David D. Sickel

ATTACHMENT #1

ADA GRIEVANCE PROCEDURE

The following grievance procedure has been developed in part from material prepared by the U.S. Department of Health and Human Services, Office of Civil Rights, Regional Technical Assistance Staff. It is intended as a guide only, to be tailored by public entities to suit their own circumstances and in consideration of any applicable state or local laws.

Richardson County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

Complainants should be addressed to: Richardson County Board of Commissioners, Courthouse, 1700 Stone Street, Falls City, Nebraska 68355, who have been designated to coordinate ADA compliance efforts.

1. A complaint 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.
2. A complaint should be filed within 5 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred 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 complaint. The investigation shall be conducted by the Richardson County Board of Commissioners. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Richardson County Board of Commissioners and a copy forwarded to the complainant no later than 10 days after its filing.
5. The ADA coordinator shall maintain the files and records of the County of Richardson relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 5 days to the Richardson County Board of Commissioners.
7. 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 an ADA complaint with the responsible federal department or agency. Use 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 Richardson County complies with the ADA and implementing regulations.

POLICY OF NON-DISCRIMINATION ON THE BASIS
OF DISABILITY

The County of Richardson does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

The Richardson County Board of Commissioners have been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations. Information concerning the provisions of the American with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

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COUNTY OF RICHARDSON COUNTY, NEBRASKA REASONABLE ACCOMMODATION PROCEDURES

Any individual who wishes to request a specific accommodation (including communication aids or services) in order to facilitate the delivery of services or participation in programs or activities provided by Richardson County, Nebraska should contact the ADA/Section 504 Coordinator as soon as possible but no later than 48 hours before the scheduled event:

Richardson County Board of Commissioners
c/o Richardson County Clerk
Courthouse, Room 203
1700 Stone Street
Falls City, NE 68355
402/245-2911
clerk@richardson.nacone.org

ASSURANCES

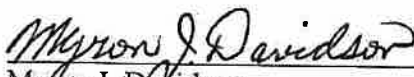
Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the County of Richardson County, Nebraska desiring to avail itself of federal financial assistance from the US Department of Transportation, hereby gives assurance that no qualified disabled person shall solely be reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The County of Richardson County, Nebraska further assures that its programs will be conducted, and its facilities operated, in compliance with all requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC 12101-12213.

Adopted this 18th day of June, 2013 at Falls City, Nebraska.

The County Board of Commissioners of Richardson County, Nebraska


David D. Sickel, Chairman


Myron J. Davidson


James Standerford

ATTACHMENT #3