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 **Process for External Complaints of ADA Compliant Discrimination**

 **Rush Township Municipality, Schuylkill County, Pa**

**Processing Complaints Filed Under**

 **Americans with Disabilities Act of 1990 (ADA)**

**APPENDIX B
COMPLAINT FORM**

**ADA Discrimination Complaint**

|  |  |  |
| --- | --- | --- |
| **Name** | **Phone** | **Name of Person(s) That Discriminated Against You** |
| **Address** | **Location and Position of Person (If Known)** |
| **City, State, Zip** | **City, State, Zip** |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| --- | --- | --- | --- | --- | --- | --- |
| **DiscriminationBecause of:** |  |  |  |  |  |  |
|  |  |  |  |  |  |

 | **Date of Alleged Incident** |
| **Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Attach Any Written Material Pertaining To Your Case.**         |

|  |  |
| --- | --- |
| **Signature** | **Date** |

**APPENDIX C
INVESTIGATIVE CASE FILE**

**Format for the Investigative Case File**

The investigative case file will include the following:

A Table of Contents should be the first page of the investigative case file. This entry describes each section in the investigative case file and identifies each entry under each Tab.

**Tab 1**

* **Letter of Finding**
* **Settlement Agreement**

**Tab 2**

* **Investigative Report/Report of Investigation**

**Tab 3**

* **Complaint**

**Tab 4**

* **Evidence** – All documentary evidence relating to the case — records, interview statements, etc. Each body of evidence should be sub-tabbed, along with a cover sheet, identifying the documents.

**Tab 5**

* **Correspondence Sent to/from the Respondent** – All external correspondence is included under this section. Enter external correspondence chronologically (i.e., most recent first), assigning sequential letters of the alphabet, e.g., A, B, C, D, etc.) to identify each exhibit, if necessary.

**Tab 6**

* **Correspondence Sent to/from the Complainant**

**Tab 7**

* **Investigator's Log**

**Tab 8**

* **Investigator's Documents** – The IP and notes from the investigator's analysis of the evidence.

**Tab 9**

* **Internal Agency Correspondence –** This section contains interoffice/interagency documents (e.g., memorandums, e-mails).

**APPENDIX C-1**

**Investigator Log**

|  |  |  |
| --- | --- | --- |
| **INVESTIGATOR'S LOGDATE** | **ACTION** | **INITIALS** |
|   |   |   |
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**APPENDIX C-2
INFORMAL SETTLEMENT AGREEMENT**Rush Township

Schuylkill County

|  |  |
| --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Complainant | Case Number: |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Respondent\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |   |

**INFORMAL SETTLEMENT AGREEMENT**

IT IS HEREBY AGREED by and between **(NAME)** hereinafter referred to as the complainant, and the ***(NAME)***, herein after referred to as the respondent as follows:

*Section One:* Purpose

This agreement is made between the parties for the complete and final settlement of their claims, differences, and actions with respect to the matters described below.

*Section Two:* Description of Allegation

The complainant initiated the complaint of discrimination by a complaint filed on **(Date)**. The complainant alleged that **(STATEMENT OF ALLEGATION)**

*Section Three:* Terms of Settlement

The complainant and the respondent enter into this agreement without any finding of discrimination having been determined. The parties agree to the following, which will resolve and settle all claims and issues arising from the above‑mentioned allegation:

1**.***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

2.*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

3*.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

1. The parties agree that this settlement shall not constitute an admission of discrimination or violation of any provision of law on the part of the respondent.
2. It is understood that if the respondent fails to fulfill or rescinds any provision of this agreement, the complainant, upon written request, shall be entitled to reinstate the matter for further processing from the point processing ceased.
3. It is understood that if the complainant fails to comply with the responsibilities under the terms of the agreement, the agreement may be terminated and any subsequent complaint based on the same issues will be rejected or cancelled.
4. The parties agree that this agreement constitutes the sole and complete understanding between them. No other promises or agreements shall be binding unless signed by the parties and made a part of this agreement.
5. The parties agree that this settlement shall become effective on the date that the last signatory signs this agreement.

|  |  |
| --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Complainant | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Respondent | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date |

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