

## Scotts Bluff County Management Accountant

Administration Building  
Gering, NE 69341 Phone 308-436-6726

Date: August 31, 2010  
To: Nebraska Department of Roads  
From: Jerry Crable, Management Accountant/HR Director  
Re: Title VI Agreements

Enclosed is the Title VI Nondiscrimination Agreement for Counties under 100,000 (Local Public Agency) and the ADA Policy Local Public agency for Scotts Bluff County.

Both were approved by the Scotts Bluff County Board of Commissioners and I was appointed to be the Title VI ADA Coordinator and Title VI Coordinator for Scotts Bluff County at that public meeting last night.

In addition, we post our Personnel manual, ADA information and Affirmative Action Policy on our Scotts Bluff County website at [www.scottsbluffcounty.org](http://www.scottsbluffcounty.org).

If there are any more questions or concerns please do not hesitate to contact me.

# Local Public Agency

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## Section 504 – Rehabilitation Act of 1973

## Americans with Disabilities Act of 1990

### Scotts Bluff County Policy

#### **POLICY STATEMENT**

The County of Scotts Bluff will ensure that no qualified disabled 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). Scotts Bluff County further ensures that every effort will be made to provide nondiscrimination in all of its programs or activities regardless of the funding source.

For our purposes, a disabled person is defined as any person who

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

#### **AUTHORITIES**

Section 504 of the Rehabilitation Act of 1973, as amended, provides that “No otherwise qualified disabled individual in the United States, as defined in section 7(6), shall, solely by reason of 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.”

29 USC 794 (October 29, 1992 to the Rehabilitation Act of 1973) substitutes “a disability” for “handicaps” and “disability” for “handicap”.

49 CFR Part 27.13 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, “This part applies to each recipient of Federal financial assistance from the Department of Transportation and to each program or activity that receives or benefits from such assistance”.

49 CFR Part 28.102 (Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation) states, “This part applies to all programs or activities conducted by the Department of Transportation 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 (Judicial Administration) states that: "The purpose of this part is to effectuate Subtitle A of Title II of the ADA which prohibits discrimination on the basis of disabilities by public entities.

49 CFR part 27 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "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 disabled individual 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) states that, "(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," and "(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 1613 (Equal Employment Opportunity in the Federal Government) states that: "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, or national origin 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) states that: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual 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."

## **ORGANIZATION**

*Jerry Crable, Management Account/HR Director, who reports to the Board of Commissioners.*

## **SECTION 504/ADA COORDINATOR RESPONSIBILITIES**

*The Board of Commissioners has appointed the Management Accountant/HR Director to act as ADA Coordinator. Complaints should be addressed to: ADA Coordinator, Jerry Crable, Scotts Bluff County, 1825 10<sup>th</sup> Street, Gering, Nebraska 69341, telephone (308) 436-6726. The ADA Coordinator has been designated to coordinate ADA compliance efforts. He or she shall maintain the files and records of Scotts Bluff County relating to the complaints filed and ensuing investigations.*

## **SECTION 504/ADA NOTICE TO PUBLIC**

*Scotts Bluff County does not discriminate on the basis of disability in admission of its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations. The County of Scotts Bluff also does not discriminate on the basis of disability in its hiring or employment practices.*

*This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. 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:*

Name and Title: Jerry Crable, Management Accountant/HR Director  
Phone Number (Voice/TDD): (308) 436-6726  
Office Address: 1825 10<sup>th</sup> Street, Gering, Nebraska 69341  
Days/Hours Available: Monday - Friday, 8:00 a.m. to 4:30 p.m.

**SECTION 504/ADA SELF-EVALUATION**

See Attachment

**SECTION 504/ADA TRANSITION PLAN**

At this time, no structural changes are needed to make Scotts Bluff County's facilities accessible. Also we have over \$12,000 available for any needed upgrades.

**COMPLAINT PROCEDURES**

See Attachment

**REASONABLE ACCOMMODATION PROCEDURES**

See Attachment

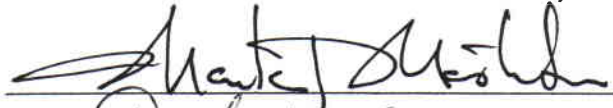



**ASSURANCES**

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the County of Scotts Bluff, desiring to avail itself of federal financial assistance from the US Department of Transportation, hereby gives assurance that no qualified disabled person shall, solely by 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 Scotts Bluff 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 \_\_\_\_\_ day of August, 2010 at Gering, Nebraska.  
(Month) (Year)

The Board of Commissioners of Scotts Bluff County

**Prepared by:**

**Title:**

**NDOR USE ONLY**

**Date Received:** \_\_\_\_\_

**Questionnaire Review:**

**NDOR Employee:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Next Step:**

**Letter of compliance:** \_\_\_\_\_

**Further review required:** \_\_\_\_\_

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