

State of California - The Resources Agency CALIFORNIA STATE PARKS		MANUAL
<b>DEPARTMENTAL NOTICE</b>		Operations
<b>No. 2023-06</b>		CHAPTER
SUBJECT		2600 Accessibility
ACCESSIBILITY COMMENT/COMPLAINT POLICY		REFERENCE
ISSUED	EXPIRES	Supersedes DN 2001-07
December 28, 2023	When Incorporated	

DPR 375 (Rev. 11/97)(Word, 12/3/97)

WHEN APPLICABLE, ENTER THE NUMBER AND DATE OF THIS DEPARTMENTAL NOTICE IN THE MARGIN OF THE MANUAL PAGE, ADJACENT TO THE SECTION(S) AFFECTED BY IT.

This Departmental Notice (DN) supersedes the previous notice No. 2001-07. As with the previous DN, this DN informs all park and district offices of the Department's procedures for park visitors to submit comments or file complaints regarding access to State Parks for persons with disabilities or for those who feel they have been discriminated against based on their disability. This DN updates the methods by which a park visitor may submit a comment or complaint and refines the process.

## LEGAL AUTHORITY

Title II Section 35.107 (b) of the Americans with Disabilities Act (ADA) requires public entities that employ 50 or more persons to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints that allege a violation under the ADA.

Section IV.P.5. of the Tucker Consent Decree requires the Department (c/o the Accessibility Division) to forward redacted copies of all complaints the Department has received as part of the Department's semi-annual report to Class Council and the Monitor.

## ACCESSIBILITY COMMENT/COMPLAINT POLICY

The policy of the Department of Parks and Recreation is to provide the opportunity for all people to visit California's State Parks, including persons with disabilities, by creating an accessible environment to learn, understand, and appreciate the State's cultural, historical, and natural heritage sites and to be able to have access to park facilities and participate in park programs.

To ensure that people with disabilities are treated with dignity and respect and are free from discrimination while visiting California State Parks, the Department has established procedures to give persons with disabilities the opportunity to make comments or file discriminatory complaints against State Park System units that have not complied with ADA.

## FILING A COMMENT/COMPLAINT

The procedure for any park visitor who wants to make a comment or file a complaint regarding access to any unit within the California State Park System or who feels discriminated against based on their disability is outlined below:

## PROCEDURE FOR FILING A COMMENT/COMPLAINT

RESPONSIBILITY	ACTION
PARK VISITOR	<p>Either complete a DPR 983 Accessibility Comment/Complaint form, write an email that includes the information required in the DPR 983 form, or submit an Accessibility Comment/Complaint through a web form maintained on the Accessibility Division's home page. DPR 983 forms should be available in every park office, district office, the Human Rights Office (HRO), the Warehouse, on the Department network, and on the Accessibility Division's home page. A link for the applicable email address to send electronic comments or complaints to the Accessibility Division shall be maintained on the Accessibility Division's home page.</p> <p>Submit the completed DPR 983 Accessibility Comment/Complaint form, or the equivalent set forth above, to any of the following:</p> <ul style="list-style-type: none"><li>• District Superintendent of the park unit, <u>or</u></li><li>• Director of California State Parks at: P.O. Box 942896 Sacramento, CA 94296-0001, <u>or</u></li><li>• Chief of the Human Rights Office at: P.O. Box 942896 Sacramento, CA 94296-0001, <u>or</u></li><li>• Via email at <a href="mailto:access@parks.ca.gov">access@parks.ca.gov</a>, <u>or</u></li><li>• Electronic submission through the web form available on the Accessibility Division's home page.</li></ul>

**PROCEDURE FOR RESOLVING A COMPLAINT INFORMALLY**

RESPONSIBILITY	ACTION
DISTRICT SUPERINTENDENT	<p>Upon receipt of a DPR 983 Accessibility Comment/Complaint form, or an electronically transmitted equivalent, the District Superintendent has 30-calendar days to resolve the complaint informally. The District Superintendent may request the assistance of the Accessibility Division and/or the HRO to resolve the issue.</p> <ul style="list-style-type: none"> <li>• <b>COMPLAINT RESOLVED</b> If the District Superintendent can resolve the complaint to the complainant's satisfaction, the District Superintendent shall provide the complainant with a written response indicating the corrective action that was taken or will be taken. The District Superintendent shall send a copy of the complaint and the written response to the HRO and the Accessibility Division.</li> <li>• <b>COMPLAINT UNRESOLVED</b> If the District Superintendent is unable to resolve the complaint to the complainant's satisfaction within 30 days of receipt, or if the complaint is not one that is amenable to informal resolution, the District Superintendent shall notify the complainant in writing that the complaint is being referred to the HRO for handling. The District Superintendent shall send a copy of the complaint and the written response to the HRO.</li> </ul>
HUMAN RIGHTS OFFICE (HRO)	<p>Upon receipt of a DPR 983 Accessibility Comment/Complaint form, or an electronically transmitted equivalent, the HRO has 90-calendar days to resolve the complaint. The HRO may conduct an informal inquiry or request a formal investigation.</p> <p>If the HRO can resolve the complaint informally, to the complainant's satisfaction, the HRO shall provide the complainant with a written response indicating the corrective action that was taken or will be taken.</p> <p>A copy of the complaint and the written response will be sent to the District Superintendent and the Accessibility Division.</p>
DIRECTOR	<p>Upon receipt of a DPR 983 Accessibility Comment/Complaint form, or an electronically transmitted equivalent, the Director will forward the complaint to the District Superintendent where the incident occurred or to the HRO.</p>

**PROCEDURE FOR RESOLVING A COMPLAINT FORMALLY**

<b>RESPONSIBILITY</b>	<b>ACTION</b>
HUMAN RIGHTS OFFICE (HRO)	<p>If unable to resolve a complaint informally, to the complainant's satisfaction, the HRO will refer the complaint to an Equal Employment Opportunity (EEO) investigator for a formal investigation. Based on the results of the formal investigation, the HRO will determine if any discrimination has occurred within the park unit.</p> <ul style="list-style-type: none"> <li>• If discrimination is not found, the HRO will notify the complainant, in writing, of their findings and a copy of the letter will be sent to the District Superintendent and the Accessibility Division.</li> <li>• If discrimination is found, the HRO will notify the District Superintendent of their findings, including recommendations for corrective action.</li> </ul>
DISTRICT SUPERINTENDENT	<p>Upon receipt of the notification and recommendations from the HRO, the District Superintendent has 10-working days to provide the HRO with a written response, identifying the corrective action that will be taken to eliminate the discrimination in the Superintendent's district.</p>
HUMAN RIGHTS OFFICE (HRO)	<p>Upon receipt of the District Superintendent's written response, the HRO will notify the complainant and the Accessibility Division, in writing, of their findings and the corrective action that has been taken or will be taken.</p>

**APPEAL PROCESS**

<b>RESPONSIBILITY</b>	<b>ACTION</b>
PARK VISITOR	<p>If dissatisfied with the results of the formal complaint process, the park visitor may appeal to the Director within 30-calendar days of receipt of the written decision.</p>
DIRECTOR	<p>The Director shall provide a written response to the park visitor, and the Accessibility Division, within 30-calendar days of receipt of the appeal.</p>
PARK VISITOR	<p>The park visitor may also file a discrimination complaint with the Department of Fair Employment and Housing, the Equal Employment Opportunity Commission, or pursue appropriate civil action.</p>

## **REQUIREMENTS FOR POSTING PUBLIC INFORMATION**

### Accessibility Comment/Complaint Forms (DPR 983)

A supply of DPR 983 Accessibility Comment/Complaint forms shall be available in each park office and district office. Forms can be obtained from the Department's warehouse, on the Department's network, and on the Department's [Accessibility Comments or Complaints](#) webpage.

### Accessibility Comment/Complaint Procedure Brochures

Accessibility Comment/Complaint Procedure brochures shall be available to park visitors in each park office and district office. Printed brochures can be obtained from the Department's warehouse. An electronic version of the brochure can be obtained from the Accessibility Division.

## **EFFECTIVE**

This DN is effective immediately and until incorporated into the Department Operations Manual (DOM) Chapter 2600 – Accessibility. If you have any questions regarding this notice, contact the Accessibility Division at (916) 445-8949 or [access@parks.ca.gov](mailto:access@parks.ca.gov).

*original signed by*

Kathy Amann  
Deputy Director of Park Operations