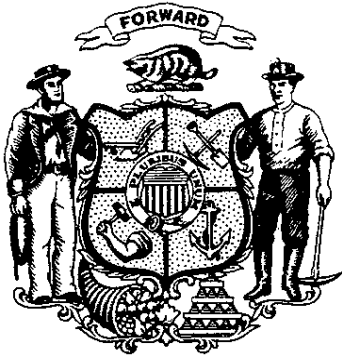


**State of Wisconsin
Department of Corrections
Division of Community Corrections
Client Handbook**



POC-0004 (Revised 6/2023)

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INTRODUCTION

This handbook is for your use as a person placed on Probation by the Court or released from prison on parole or extended supervision. The handbook will help you to understand the expectations of being on community supervision.

WHAT DOES PROBATION, PAROLE OR EXTENDED SUPERVISION MEAN?

Being placed on probation by a Circuit Court Judge or released from prison on parole or extended supervision means you may complete your sentence outside of prison or jail. You will be assigned an agent from the Department of Corrections who will assess your areas of need, provide meaningful interventions and general community supervision.

PROBATION: SENTENCE WITHHELD

The court has not imposed a sentence and has placed you on community-based supervision with the Department of Corrections. You will be subject to the conditions set by the court and rules established by the Department of Corrections while on supervision. You will be assigned an agent who will assist you to complete the conditions set by the court and address other areas of need. If you do not follow your rules, violate the conditions of your supervision or break the law, your probation may be revoked. If revoked, you will return to court for sentencing.

PROBATION: SENTENCE IMPOSED AND STAYED

The court has sentenced you to a specific jail or prison term, but has ordered that sentence not be immediately carried out and has placed you on community-based supervision with the Department of Corrections. You will be subject to the conditions set by the court and rules established by the Department of Corrections. You will be assigned an agent who will assist you to complete the conditions set by the court and address other areas of need. If you do not follow your rules, violate the conditions of your supervision or break the law, your probation may be revoked. If revoked, you will be required to serve the sentence imposed by the court. You will not return to court.

PAROLE/EXTENDED SUPERVISION

Parole means the Parole Commission has released you from prison and has set your conditions of parole or that you have been released from prison after having reached your mandatory release date.

Extended Supervision means you have completed your prison sentence under the Truth in Sentencing law and now have a period of community supervision to complete. The judge determined the length of the extended supervision at the time of sentencing.

For both Parole and Extended Supervision, you will be required to complete conditions set by the court and rules established by the Department of Corrections. You will be assigned an agent who will assist you to complete the conditions set by the court and address other areas of need. If you do not follow your rules, violate the conditions of your Parole/Extended Supervision or break the law, your term of community supervision may be revoked. If your term of community supervision is revoked, you will return to prison. You will not return to court.

WHAT ARE CONDITIONS OF SUPERVISION?

During your first meeting, your agent will discuss your conditions of supervision, which have been set by the court and cannot be changed by your agent without approval from a judge. The court may require you to do certain things while you are on supervision. For instance, you may have to take part in drug or alcohol counseling, family counseling, a school program, employment requirements, perform community service hours, etc.

WHAT ARE RULES OF SUPERVISION?

During your first meeting, your agent will review your rules of supervision. These will include the “standard” rules of supervision that all clients must follow by law: WI Statute 973.10, Administrative Code DOC 328 & 331. Your agent may add “special” rules based on current and/or past behaviors. These “special” rules can be updated at any time, as the agent deems appropriate. For instance, you may not be allowed to have contact with someone (victim, co-defendant), may not be allowed into certain businesses, may need to remain sober, etc.

WHEN WILL I SEE MY AGENT?

At the beginning of your supervision, you may need to meet with your agent more frequently to create a plan and identify goals for your supervision. When your agent meets with you for the first time, they will complete an assessment with you to help determine what areas should be focused on during your supervision and determine how often you and your agent will meet. Depending on your results, you may be seen weekly, biweekly, monthly, or every three months. Your agent will review your reporting schedule at certain points during your supervision and it may change depending on both positive and negative behaviors.

You will mostly meet at your agent's office, but may meet at your home, job, or school. You may also be approved for virtual visits (video visits) if you meet certain criteria. All meetings with your agent are an opportunity for you to discuss any problems or concerns you have, provide your agent updates, and for your agent to work with you on building skills in your areas of need.

It is very important to attend all appointments with your agent. If you have a problem you need to discuss with your agent between regular meetings, contact your agent and request an earlier appointment.

If you reach your agent's voicemail during normal business hours, or if they are not available and it is an emergency, contact the main phone line of your agent's office and inform office staff of the urgency of the matter. They will obtain assistance for you.

WHAT WILL MY AGENT DO?

When your agent meets with you, they may complete required paperwork, collect/review your financial obligations, verify your employment, verify your attendance at treatment or education groups, obtain a urine sample, and discuss your progress on supervision. This is also a chance for you to ask questions and request help in obtaining needed services.

Most meetings with your agent will be in the office, but your agent will also visit you at your home. The agent must be familiar with who you are living with to better understand your living situation. The people you live with should be aware your agent will be coming into your home.

The goal of your agent is to help guide you towards completing conditions of supervision and rules, to teach you skills that will help you make positive changes, to refer you to services to help address areas of need, and to determine appropriate responses if you are not following your conditions, rules, or the law.

Your agent will help you learn new skills. During your initial appointments, your agent will explore with you the reasons why you became involved in the justice system and identify skills you can strengthen and develop to achieve success. As part of this process, your agent will complete an assessment and make a plan with you to guide and track your progress.

For example, you and your agent may identify finding more positive ways to deal with anger as a skill area where you can grow. Your agent may practice techniques for healthy emotional expression at your appointments and ask you to further practice those skills in your personal life. Your agent may later ask you to talk about and share how you used the new skills in real-life situation and discuss with you if you found using the skills to be helpful in achieving a desired outcome.

WHAT ABOUT PROGRAM OPTIONS AND INFORMATION?

Your Agent may refer you to programs/treatment sponsored by the Department of Corrections. Depending on availability in the area you are supervised, these may include programs or treatment such as:

- Substance Use Disorder (SUD) Programming
- Cognitive Behavioral Interventions
- Domestic Violence Programming
- Sexual Offender Treatment (SOT)
- Anger Management
- Medication Assisted Treatment Programs (MAT)
- Specialty/Problem Solving Courts

Based on your needs and court ordered conditions, it may be necessary for your agent to refer you to programming/treatment sponsored by other agencies, through your insurance, or via other means, depending on the circumstance.

EMPLOYMENT PROGRAMS OFFERED THROUGH THE DEPARTMENT:

- Community Corrections Employment Program (CCEP)
- Certification of Qualification for Employment (Act 123)

You may also benefit from programs offered throughout the state. Some of them include:

- **COUNTY SOCIAL SERVICES AND HUMAN SERVICES:** Emergency assistance, food stamps, Wisconsin Works, medical assistance, energy assistance, home weatherization, WIC program, and daycare services.
- **SOCIAL SECURITY:** Social Security, SSI, and Medicare.
- **JOB SERVICE, DEPT. OF WORKFORCE DEVELOPMENT:** Worker's compensation, unemployment compensation preparation for employment, and job referrals.
- **U.S. VETERANS AFFAIRS:** Variety of veteran services.
- **U.S. OFFICE OF EDUCATION:** Educational aids through high school counselors or college financial aid offices.
- **TRIBAL AGENCIES:** Financial assistance for Menominee Tribal members or other tribal members, living on tax-free Indian lands, and Relief of Needy Indian Persons (RNIP).

WHAT HAPPENS IF I VIOLATE THE LAW OR MY RULES OF SUPERVISION?

If you violate the law or the rules of your supervision, your agent will complete a violation investigation, which may include obtaining a statement from you, victims, witnesses, reviewing police reports and gathering evidence.

Responding to violations in an effective manner is crucial to the overall success of someone placed on supervision and can have a significant impact on reducing the risk of re-offending. The violation response will be based on several factors including your risk to reoffend and the severity of the violation. You can expect your agent to respond quickly and consistently to law or rule violations.

Sanctions for violations could range from homework, counseling, skill practice, electronic monitoring, jail, and, at the highest level, the recommended revocation of your supervision.

Failure to Report to your Agent: A condition of supervision includes reporting to your agent as directed. If you stop reporting to your agent, and your agent cannot locate you, a warrant will be issued for your arrest.

In addition, the time that passes until you again report to your agent or are apprehended may not count toward your time on supervision. Your supervision may be extended for the amount of time that passed while you were not reporting to your agent. As failing to report to your agent is a violation of your supervision, you will be subject to sanctions up to and including the possible recommended revocation of your term of supervision.

WHAT IS REVOCATION?

You may face revocation if you commit new law violations or rule violations that are serious and justify the termination of supervision.

The decision to proceed with revocation of supervision is reviewed and approved by your agent's supervisor and the regional chief/assistant regional chief. You will be provided with notice of the Department's intent to proceed with revocation and your hearing rights will be reviewed with you. These rights include the right to a hearing with an administrative law judge and the right to have an attorney represent you at revocation proceedings. You may also choose to waive this hearing. If the decision is to recommend the revocation of your supervision, dependent upon your sentence structure, you will either be returned to court for sentencing or transported to a jail or prison.

In all instances, alternatives to revocation must be considered, some of which may be DOC funded. An alternative to revocation could involve GPS or electronic monitoring, amended conditions of supervision, referrals to community programs, inpatient or residential services, or institution-based programming. If an alternative to revocation is offered and you fail to meet the conditions, revocation of your supervision may be pursued.

WHAT ARE MY FINANCIAL OBLIGATIONS?

COURT COSTS

The court may order you to pay a fine, other costs, and attorney fees. Your agent will explain what money you owe and may assist you in setting up a monthly payment plan based on your financial situation. If you do not pay the costs owed to the court, the judge may extend your supervision, order a civil judgment, hold a review hearing, etc.

WHAT IS RESTITUTION?

The purpose of restitution is to make you aware of, and responsible for, the damage caused to your victim/victims and society as a result of the crime you committed. Restitution is your chance to make amends to the victim/victims of your crime for the economic loss they have suffered as a result. Payment of restitution is an important condition of your supervision and will be addressed with you by your agent. You will submit restitution payments to your agent or make your payments online. If the end of your probation, parole or extended supervision sentence nears and you have not paid the restitution you owe, you may have to explain to a judge why you have not paid your restitution. A civil judgment may also be entered if you fail to pay restitution, which accrues interest.

2015 Wisconsin Act 355 requires clients to pay all active restitution accounts in full before paying for other court-ordered obligations, including supervision fees.

It is possible your probation will be extended by the court until you pay all of the restitution you owe. If an extension is granted by the court for purposes of paying court obligations, including restitution, you will discharge from supervision once you make the payment of all court obligations owing for that case and once those funds are validated and deposited in the Department's account.

WHAT ARE SUPERVISION FEES?

Supervision fees are to be paid by all clients on community supervision (1995 WI Act 27). Payment of supervision fees is an important condition of your supervision as well as the law, WI Statute 304.074(2). These supervision fees are to be paid in addition to any other court-ordered obligations. You will be charged the supervision fee for each month/partial month you are on community supervision.

Your agent will explain exactly what you owe and may assist you in setting up a monthly payment plan based on your financial situation. The amount of your supervision fees is based on the gross monthly income of you and your spouse and can be set at \$20, \$40, or \$60 per month. Your agent may adjust the supervision fee amount when there is a change in your gross monthly income or may exempt you from supervision fees under certain circumstances, with supervisor approval.

If you fail to make your supervision fee payments, the Department may submit your balance to the Wisconsin Department of Revenue for collection through the Tax Refund Intercept Program (TRIP).

The Department of Corrections (DOC) will let the Department of Revenue (DOR) know that you owe supervision fees. Future earnings you receive from any income tax refund or lottery winnings may be intercepted by the DOC and forwarded to DOC for any unpaid supervision fees.

HOW DO I MAKE A PAYMENT?

Some counties will tell you to pay court costs directly to the court while some counties will collect through the Department of Corrections. Your agent will review with you and let you know how to make payments. Your payments should be made with money orders payable to the Department of Corrections. **At no time should you make cash payments to your agent or write a personal check.**

You can also make your payments online with the use of a credit/debit card or bank account (ACH). A small fee may be applied when making online payments. You can make an online payment by visiting <https://doc.wi.gov> and clicking on the "P&P Payments" link under "Online Services." You will be redirected to the e-pay website to enter your DOC number. Then you will select what type of payment you wish to make (Restitution, Supervision Fees, or Other Court Ordered Obligations). If you owe restitution, you will only be able to pay restitution, as this amount must be paid first.

CAN I EARN AN EARLY DISCHARGE?

Probation: Early discharges from probation are granted by the court. Your agent may petition the court for an early discharge. Victims will be contacted for input prior to the agent considering early discharge.

To be eligible for consideration, you must have achieved the following:

- Served at least half of the probation term.
- Supervised at the minimum or administrative level for a reasonable period of time.
- Satisfied all court-ordered conditions of your supervision.
- Satisfied all rules and conditions set by the Department.
- Paid ALL financial obligations in full including restitution, court ordered obligations and supervision fees.
- Have no outstanding warrants.

Clients are not eligible for early discharge from probation if you are required to register under s. 301.45 or if you have been convicted of any of the following crimes specified in § 941.29 (1g) (a), Wis. Stat.; a crime specified in § 941.29 (1g) (b), Wis. Stat., not including §§ 951.02, 951.08, 951.08, or 951.095, Wis. Stats.; or a crime under §§ 948.02 (3), 948.055, 948.075, or 948.095, Wis. Stats.

Parole: Early discharge from parole is an administrative process and is granted by the Secretary of the Department of Corrections. Victims will be contacted for input prior to consideration for early discharge.

To be eligible for consideration, you must have achieved the following:

- Reached your mandatory release date or have been supervised in the community for two years.
- Supervised at the minimum or administrative level for a reasonable period of time.
- Satisfied all conditions set by the court.
- Satisfied all rules and conditions set by the Department.
- Pay all financial obligations in full including restitution, court ordered obligations and supervision fees.
- Have no outstanding warrants.

Extended Supervision: Clients on Extended Supervision are not eligible for early discharge.

CAN MY CASE BE EXPUNGED?

Under certain circumstances, the sentencing judge may order your record be expunged upon successful completion of your sentence. Successful completion is defined as remaining violation-free, not having had your community supervision ordered revoked and satisfying the conditions of your probation.

If the court determined you are eligible for expungement, your agent will notify the court within ten days following the discharge date of whether you successfully completed probation or if you failed to meet the criteria for expungement. Submission of the appropriate documents by your agent to the court will start the expungement process, and the court may expunge the record. It is suggested you follow up with the Clerk of Court in the county of conviction to confirm if your record has been expunged.

IF I HAVE A DISAGREEMENT WITH MY AGENT, WHAT DO I DO?

If you are having difficulties with your agent, you should first discuss them with your agent. If you are not satisfied with your agent's response, you have the right to appeal to your agent's supervisor. Ask your agent for Form DOC-0127 "Offender Request for Administrative Review." Your agent will explain the procedure to you. **All complaints/appeals must be submitted to your agent's supervisor in writing.**

The following cannot be appealed:

- Custody and detention;
- Revocation;
- Violation of criminal laws or municipal ordinances;
- Firearms denial if you have ever been convicted of a felony;
- Voting denial if you have been convicted of a felony;
- Conditions of supervision ordered by the Court or the Parole Commission; or
- Mandatory detention.

While you are in the process of appealing a decision, the initial decision made by your agent will remain in effect. You must comply with the agent's decision or directive during the appeal process. You will not be penalized for filing a complaint.

CAN I GO HUNTING OR HAVE A GUN WHILE I AM ON SUPERVISION?

If you are a convicted felon or if you committed a domestic violence offense, you may not possess a firearm and/or ammunition. Additional information regarding firearm restrictions is listed below. (Federal Gun Control Act of 1968, 18 USC 921 to 928 & Wisconsin Statutes Sec. 941.29, 813.12, 813.122 and 813.125)

Both Federal and State law have a lifetime prohibition for possession of firearms and/or ammunition by convicted felons. Federal law also prohibits possession of firearms and/or ammunition by fugitives from justice, any person who is a user or addicted to any controlled substance, any person committed to a mental health institution, illegal aliens, any person discharged from the Armed Forces under dishonorable conditions, any person subject to a court order restraining the person from harassing or stalking an intimate partner or child, and any person who has been convicted of any misdemeanor crime which has as an element of the crime domestic abuse behavior. In addition, Wisconsin law prohibits persons subject to domestic abuse or child abuse restraining orders from firearm possession. Wisconsin judges may prohibit firearm possession by persons subject to harassment restraining orders. In addition, Corrections policy prohibits you from possessing firearms or ammunition if you have a history of domestic violence-related behavior or have ever been convicted of any offense where the behavior is domestic violence in nature. You should check with your attorney and/or the District Attorney in the county where you live to determine if these prohibitions regarding firearms and ammunition apply to you when you are no longer on supervision.

Upon review of an individual's criminal history and past behaviors, an agent may prohibit any person on supervision from possessing a firearm, facsimile firearm, and/or any other weapon.

Requests to possess a firearm and/or other weapons must be approved in advance by your agent. This includes, but is not limited to, requests to bow hunt.

All visitors to the Probation and Parole office are prohibited from carrying any firearms or weapons into the office, regardless of whether the weapon is legal, concealed, or openly carried.

CAN I VOTE WHILE I AM ON SUPERVISION?

Voting Eligibility: You are not eligible to vote in Wisconsin if you have been convicted of a felony and you are currently serving any portion of your sentence for that felony conviction. Clients who violate this law may be subject to sanctions up to and including revocation and/or criminal prosecution. When you discharge from DOC supervision, your civil rights are restored, including the right to vote.

Discharged clients with previous felony convictions have had their voter registration inactivated and therefore you must re-register with your municipal clerk prior to voting.

These resources are available to answer questions, assist in voting rights restoration, and assist in obtaining a valid ID that can be used for voting purposes:

- **Wisconsin Elections Commission:** Call the Elections Help Desk at 608-266-8005 or visit elections.wi.gov/voters.
- **Statewide Voter Helpline:** Call or text 608-285-2141 (sponsored by Dane County Voter ID Coalition and NAACP Dane County Branch). The Voter Helpline offers accurate, unbiased, nonpartisan answers to your voting questions.
- **Wisconsin Division of Motor Vehicles:** Visit wisconsin.gov for information on obtaining a valid ID or driver's license.
- **Voter Photo ID Law:** For detailed information visit bringit.wi.gov.
- **League of Wisconsin Women Voters of Wisconsin:** Visit my.lww.org/wisconsin/voter-information for general voter information in Wisconsin.

CAN I TRAVEL OUTSIDE THE STATE OF WISCONSIN?

If you need to leave Wisconsin for any reason, you must get permission from your agent and a travel permit in advance. If your request to travel out of state is approved by your agent, you will be given a travel permit which will allow you to leave Wisconsin for up to fifteen (15) days. Your agent cannot give you permission to leave the country. Travel abroad may only be approved by a judge.

In order for your agent to approve a travel permit, the agent will need to know exactly where you want to go, why you need to go there, how long you plan on being there, how you will be traveling and with whom you will be staying. Your agent will need the name/names and exact address and phone number of the person/persons with whom you will be staying while you are out of state. Denial of a travel permit may occur as a response to lack of effort to meet your supervision conditions or due to violations.

CAN I MOVE TO ANOTHER STATE?

If you wish to reside in another state, you must first discuss this with your agent. Your agent will review the residence plan, how you or your family will provide support, and if you meet the required conditions determined by Interstate Compact rules. Once your agent approves your request to transfer and determines you meet the criteria for a transfer, you will have to sign an application form and pay an application fee of \$150. Your application fee will not be refunded if the other state rejects your transfer request. The other state has 45 business days to accept or reject your transfer request. In some instances, you may not travel to the other state while your application is pending. Your agent will issue you a travel permit if allowed by Interstate Compact.

WHAT ABOUT MOTOR VEHICLES?

You must get permission from your agent to buy, trade, sell or operate a motor vehicle. Your agent will ask you to complete a form to collect information about the vehicle and to record your driver license number. You must possess liability insurance on any vehicle you operate.

For clients on supervision for an OWI-related offense, an Ignition Interlock Device (IID) is required on all vehicles that the client is listed on the title or any other vehicle they may be operating, unless waived by the court. You must report IID information to your agent and comply with the requirements of the IID.

STATE LAW AND WISCONSIN DEPARTMENT OF CORRECTIONS POLICY AGAINST STAFF AND CLIENT SEXUAL ACTIVITY

Wisconsin Department of Corrections policy and state statute 940.225 prohibit sexual contact between staff and clients.

It is never appropriate for a staff member to make sexual advances, comments, or to engage in sexual contact with a client. The Wisconsin Department of Corrections specifically does not allow sexual activity between clients and DOC staff. If you need to report inappropriate behavior, contact the supervisor, regional chief or call 608-240-5300 to locate the regional office address, or you can send a letter to the DCC Administrator or DOC Secretary to P.O. Box 7925, Madison, WI 53707-7925.

Confidentiality: Information concerning the identity of a client reporting sexual advances, comments or sexual contact and the facts of the report itself shall be limited to those who have a need to know in order to make decisions concerning the client's welfare and for law enforcement and/or investigative purposes.

False Allegations: No disciplinary action shall be taken against the reporting client unless, as a result of the investigation, it is determined the allegations were false or the client violated the law. False allegations could result in referral to local law enforcement authorities with a request for charges.

NOTICE OF RIGHT TO REASONABLE ACCOMMODATIONS

I have a disability and I am having trouble accessing the office, program, service, or activity, what do I do?

The Division of Community Corrections (DCC) is committed to assuring fair and equitable treatment of individuals with disabilities who are under our supervision and who seek access to our programs, services and activities. Under the American with Disabilities Act (ADA), discrimination against clients with disabilities is prohibited. It is the policy of DCC that all programs, services and activities shall be readily accessible to qualified individuals with disabilities. DCC requires its employees to follow policies and procedures to make the Division's programs, services and activities accessible to individuals with disabilities unless to do so would fundamentally alter the nature of the program, service or activity or create an undue administrative burden or direct threat. DCC may seek alternative means of achieving accessibility for qualified individuals with disabilities. Such means may include the provision of auxiliary aids by clients with disabilities who are under community supervision to ensure accessibility.

To request an accommodation, please complete a Reasonable Modification/Accommodation Request for Probation, Parole & Extended Supervision, DOC-4051, and attach relevant medical documentation. These forms are available in the lobby of the DCC offices, or can be obtained from a staff member.

I have a disability and my accommodation request was denied, can I appeal?

If ADA reasonable accommodation request is denied, you have the right to appeal the denial using the DOC-4052, Offender Request for Administrative Review of Reasonable Accommodation/ Modification Request. The forms are available at your local community corrections office. These appeals shall be submitted to the supervisor within five (5) working days of receipt of the decision, with a copy to the DCC ADA Coordinator. The supervisor shall investigate within ten (10) working days of receipt of the complaint obtaining information from the agent and then interviewing the client. Within five (5) working days after the supervisor's investigation is complete, the supervisor shall issue a decision.

If the decision is to overturn the agent's decision and grant the accommodation, then the decision shall be documented and communicated to the agent, the client and the ADA Coordinator.

If the decision is to deny the complaint, then prior to issuing the decision the field supervisor is to consult the Regional Chief and the DCC ADA Coordinator to assure the denial decision is in keeping with division policy and ADA law.

Clients under community supervision have the right to appeal a denial of a reasonable accommodation to the DCC ADA Coordinator who shall discuss these appeals with the DOC ADA Advisory Committee for final action. The appeal should include copies of the Reasonable Modification/Accommodation Request for Probation, Parole & Extended Supervision, DOC-4051; The Offender Request for Administrative Review of Reasonable Accommodation/Modification Request, DOC-4052; the supervisor's written decision and any medical documentation. Appeals may be sent to the DCC ADA Coordinator at: Wisconsin Department of Corrections, Attn: DCC ADA Coordinator, 3099 E. Washington Ave, Madison, WI 53707-7925. A written decision shall be issued within ten (10) days of receipt of the appeal. The written decision shall be provided to the individual requesting the accommodation/accommodations.

If the DCC ADA Coordinator denies the appeal, the client always retains the option to appeal the denial of the ADA accommodation to the DCC Administrator for a final review of all relevant written information, including the client's appeal and previous decisions issued by the agent, supervisor, and the DCC ADA Coordinator. The Administrator shall issue a written decision stating the reasons for the decision within ten (10) working days of receipt of the appeal. The client, agent, field supervisor and DCC ADA Coordinator shall receive copies of the Administrator's decision. The Administrator's decision regarding the appeal shall be final.