

Northeast Iowa Community Action Corporation- Region 1 Transit (NEICAC)

Public Transportation Request for Reasonable Modifications:

Policy/Procedure

The US DOT issued a Final Rule under the American Disability Act (ADA) and Section 504 of the Rehabilitation Act of 1973 which takes effect on July 13, 2015, and can be found at <https://www.fhwa.dot.gov/civilrights/programs/ada/>. Per this final rule, the NEICAC Public Transit is required to make reasonable modifications or Modifications to our policies and practices to ensure individuals with disabilities have equal access to NEICAC Public Transit services.

NEICAC is committed to providing public transit services to the general public including those individuals with disabilities. If you are an individual with a disability and believe a modification in NEICAC Public Transit services, policies or programs would allow you to access NEICAC Public Transit, please contact a NEICAC Transit Manager, via phone, letter or email and describe what is needed to be modified in order for you to use NEICAC Public Transit services.

NEICAC Public Transit will consider requests for reasonable modifications so individuals with disabilities can have equal access to our Demand Response services as follows:

1. **Modification Requests Submittals:** An individual requesting a modification will describe what they need in order to use NEICAC Public Transit services. Individuals should state their impending trip date within their request, if possible. NEICAC Public Transit can take up to 14 days to process ADA Reasonable Modification request. Requests can be made by emailing NEICAC Transit Operations Manager shannon@neicac.org or by calling at 563-387-4920.
2. **Designated Responsible Employee(s):** NEICAC Transit Operation Manager/Transportation Director are the responsible employees to approve/deny pending reasonable modification requests. **NEICAC Transit-Attn. Operations Manager, 305 Montgomery St., Decorah, Iowa 52101 or shannon@neicac.org or 563-387-4920.**
3. **Use of Term Reasonable Modification Not Required:** The individual requesting modification is not required to use the term "reasonable modification" when making a request. General complaints concerning issues in accessing transit service or general information requests for modifications in service due to an individual's disability should be directed to NEICAC CFO, Chishelle Stravers, as part of the general complaint process.
4. **Requests In Advance:** Whenever feasible, requests for modifications should be made and determined in advance, before NEICAC Public Transit is expected to provide the modified service. Individuals should state their impending trip date within their request. Depending on the complexity of the request and if any financial assistance is needed to grant the request, additional NEICAC Public Transit administrative staff could also be involved in providing more information for any modification approval/denial determinations.
5. **Requests during Transit Trip:** When a request for modification cannot practicably be made and determined in advance, dispatch/scheduling personnel, in consultation with NEICAC Transit Management staff, will make a determination of whether the modification can be provided at the time of the request. If necessary, drivers will consult with NEICAC Transit Managers before making a

determination to deny the request. Any denials for modifications that cannot be granted shall be written up as an incident by the driver to forward to NEICAC Transit Operation Manager for official documentation.

6. **Reasonable Modification Approvals:** Approved reasonable modifications requests shall be documented in the client's profile. In order to communicate these modifications to drivers the modification(s) will be added to the driver's instructions in the scheduling/routing software system and/or also printed on the driver instructions (schedule/manifest). It can take up to 14 days for NEICAC to process Reasonable Modifications.
7. **Grounds for Denial:** Requests for modifications of policies and practices may be denied on one or more of the following grounds:
 - Granting the request would fundamentally alter the nature of NEICAC Public Transit service, programs, or activities,
 - Granting the request would create a direct threat to the health or safety of others,
 - Without the requested modification, the individual with a disability is able to fully use NEICAC Public Transit services, programs, or activities for their intended purpose.
8. **Other Actions Prior to Official Denial:** Any denials of formal requests prior to the trip will be confirmed with NEICAC Public Transit Operation Manager/NEICAC Transportation Director to ensure no other Modifications could be made to allow the individual to receive transit service. In any case, in which NEICAC Public Transit denies a request for a reasonable modification as requested by a passenger, NEICAC Public Transit will take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefits provided by NEICAC Public Transit.
9. **Reasonable Modification Denials:** Any denials for reasonable Modification by NEICAC Public Transit will be promptly communicated via written letter and/or e-mail to the individual requesting the Modification including the reasons for the denial. All denials, including reasoning, will be documented for reporting purposes to the Federal Transit Administration upon request.

Decisions Guided by 49 CFR Appendix E: In determining whether to grant a requested modification, NEICAC will be guided by the provisions of United States Department of Transportation 49 CFR Appendix E to Part 37.169. <https://www.fhwa.dot.gov/civilrights/programs/ada/> - pages 13261-13263)

10. **Procedures Availability:** NEICAC Public Transit complaint and reasonable Modification procedures are available on Northeast Iowa Community Action Corporation's website at www.neicac.org or by an individual's request to NEICAC Public Transit. For a copy of these procedures, please call NEICAC Transit Operation Manager at 563-387-4920 or e-mail shannon@neicac.org and request these procedures be sent via mail or email.

COMPLAINT Process:

INFORMAL (verbal) Complaint Process (Grievance)

NEICAC Public Transit is responsible for providing a safe, reliable, affordable transportation service. We encourage any customer or concerned citizen to notify NEICAC Public Transit Office, if they do not feel such service was provided or if they observe a driver in a NEICAC vehicle driving in an unsafe manner. Reporting the time of the observed driving incident, vehicle location, and vehicle number are helpful in our investigation of the complaint.

- Call our NEICAC Public Transit Office at 866-382-4259 and let them know of your concern/complaint. If they are unable to assist you, they will complete a complaint form, which will be submitted to NEICAC Public Transit Management for review.
- The Operation Manager/Transportation Director will research the concern/complaint, and conduct a follow-up phone call with you within two (2) business days.

Most concerns/complaints can be handled in this manner of communication, however, if you feel there needs to be formal complaint, please proceed with the Formal (written) Complaint Process below.

Opportunity to File Complaints Regarding Discrimination

Complaints may be filed with NEICAC in writing, by email or by phone. Please visit our website at www.neicac.org.

Any complaint related to the direct activities of Northeast Iowa Community Action Corporation – NEICAC Public Transit should be submitted in writing directly to the Chief Financial Officer at the address listed below.

Chief Financial Officer
Northeast Iowa Community Action Corporation
P.O. Box 487
Decorah IA 52101

Complaints may also be sent via email to: cStravers@neicac.org

For more information to complete a complaint form by phone, please call 563-382-8436 and ask for the Chief Financial Officer.