

Clinton Area Transit System

Date Board Adopted: May 26, 2022

ADA Complaint and Reasonable Modification Policy

Title II and III of the American Disability Act of 1990 (ADA) provides that no entity shall discriminate against an individual with a disability in connection with the provision of transportation services. Title II prohibits state and local governments from discriminating against people with disabilities. Title III establishes accessibility requirements for places of public accommodation. The law sets forth specific public transit requirements for vehicle and facility accessibility and the provision of service, including access to fixed route bus and complementary paratransit service. Clinton Area Transit System (Clinton Transit) is committed to providing safe and reliable transportation to all people without discrimination.

ADA COMPLAINTS

If Clinton Transit receives a complaint regarding discrimination against an individual under the ADA, we will respond within 30-days of receiving the complaint and will work to resolve the issue with the complainant as quickly as possible. This may involve legal assistance and/or mediation. We will document the entire process, including the resolution and will notify the Michigan Department of Transportation (MDOT) Office of Passenger Transportation (OPT). We will keep the complaint and all related documents on file for at least one year. We will keep a summary of all complaints filed for at least five years. Records will be made available to MDOT OPT upon request.

The attached flyer (Attachment A) will be posted in all public transit agency buses, facilities, and websites.

What information should my ADA complaint include?

Your written ADA complaint should provide the following information:

1. Your full name, address, telephone number, and email address where we can reach you during the day and evening.
2. The name of the person discriminated against, if known.
3. The name of the person you believe committed the discrimination, if known.
4. A brief description of the alleged discrimination and the dates they occurred.
5. Other information you believe is necessary to support your complaint, including copies (not originals) of relevant documents.
6. Information about how to communicate with you effectively. Please let us know if you want written communications in a specific format (e.g., large print, Braille, electronic documents).

To guide you in providing the requested information, you may use the attached ADA complaint form. (Attachment B)

How do I file an ADA complaint by email?

Include all the information listed above, either in the body of the email or in an attachment. Attach relevant documents to your email. Send your complaint to ADACoordinator@clintontransit.com. You will receive a reply email confirming that your complaint has been received within 48 business hours. Please keep a copy of your complaint and the reply email for your records. If you do not receive a reply email, please contact Clinton Transit at (989) 224-8127.

What happens after my complaint is received?

After the complaint is received, we will inform you of our action, which may include:

1. Contacting you for additional information or copies of relevant documents.
2. Working with you to resolve the issue.
3. Referring your complaint for possible resolution through the U.S. Department of Justice ADA Mediation Program.
4. Referring your complaint to another federal agency with responsibility for the types of issues you have raised.

How can I find out the status of my complaint?

We will review each complaint carefully. If you have not heard from us within three weeks, please contact us at (989) 224-8127.

ADA REASONABLE MODIFICATIONS

Public agencies that provide designated public transportation shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services. This requirement applies to the means public entities use to meet their obligations under all provisions of the law.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, Clinton Transit shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

Requests for modification of Clinton Transit policies and practices may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of the agency's services, programs, or activities.
2. Granting the request would create a direct threat to the health and safety of others.
3. Without the requested modification, the individual with a disability is still able to fully use the entity's services, programs, or activities for their intended purpose.

Basic process requirements that must be met are:

1. Information on the reasonable modification process must be readily available to the public and must be readily accessible.
2. Advance notice can be required if feasible. Flexibility is also needed to handle requests that are only practicable on the spot.
3. Individuals requesting modifications are not required to use the term "reasonable modification."

What information should my ADA reasonable modification request include?

Your written reasonable modification request should include the following information:

1. Your full name, address, telephone number, and email address where we can reach you during the day and evening.
2. If request is being made by someone else on behalf of the passenger, please provide the advocate's full name, relationship to the passenger, and telephone number where we can reach the advocate during the day and evening.
3. A description of your disability or disabilities.
4. The service policy, practice, or procedure that may need to be modified to allow you full access to the transit services provided.
5. How the current service policy, practice, or procedure prevents you from using public transportation services.
6. A description of the specific modification to the current service policy, practice, or procedure that you are requesting.
7. Copies (not originals) of any required documentation of disability or disabilities.
8. Information about how to communicate with you effectively. Please let us know if you want written communications in a specific format (e.g., large print, Braille, electronic documents).

To guide you in providing the information needed for your request, you may use the attached ADA Reasonable Modification Request Form. (Attachment C)

How do I file an ADA reasonable modification request by email?

Include all of the information listed above, either in the body of the email or in an attachment. Attach relevant documents to your email. Send your request to ADACoordinator@clintontransit.com. You will receive a reply email confirming that your request has been received within 48 business hours. Please keep a copy of your request and the reply email for your records. If you do not receive a reply email, please contact Clinton Transit at (989) 224-8127.

What happens after my request is received?

After the request is received, Clinton Transit will provide a written response of approval or denial within seven (7) days of its receipt.

How can I find out the status of my request?

We will review each request carefully. If you have not heard from us within seven (7) days, please contact us at (989) 224-8127.

Clinton Area Transit System
**Procedure to File a Complaint or Request Reasonable
Modification Under the
Americans with Disabilities Act (ADA)**

If you believe you, or another person, has been discriminated against under Title II and III of the American Disability Act of 1990 (ADA) by Clinton Area Transit System (Clinton Transit) or one of our employees, you can file a complaint, or alternatively, request reasonable modification, by mail, fax, or email at:

Clinton Transit ADA Coordinator
215 North Scott Road, St Johns, MI 48879
Fax: (989) 224-7034
ADACoordinator@clintontransit.com

Take the first step: Before filing your complaint or request, contact the Clinton Transit ADA Coordinator to discuss your concerns. The ADA Coordinator can investigate the issue and try to come up with an acceptable resolution to the situation.

You may file a complaint or request a reasonable modification, in writing with Clinton Transit, using the following procedures:

- File a written complaint with Clinton Transit as soon as possible, but no later than 180 calendar days after the alleged violation. Requests for reasonable modification may be filed at any time.
- The written complaint or modification request should be submitted by the grievant and/or their designee.
- Alternative means of filing complaints and requesting modifications, such as a personal interview or a tape recording, will be made available upon request.
- The written complaint or modification request should contain the information required by Clinton Area Transit System's ADA Complaint and Reasonable Modification Policy, that is available upon request. Alternative formats and language translations of the policy are available upon request.
- Explanation of approval or denial of reasonable modification requests will be made and sent to the requestor within seven (7) calendar days of receipt.
- Within 15 calendar days of receiving a complaint, Clinton Transit will meet with the complainant to discuss the complaint and possible resolutions.
- Within 15 calendar days of the meeting, Clinton Transit will respond in writing or another accessible format. The response will explain the position of Clinton Transit and offer options for substantive resolution of the complaint.
- If the response by Clinton Transit does not resolve the issue, the complainant and/or designee may appeal the decision, within 15 calendar days after receiving the response, to the Federal Transit Administration Office for Civil Rights.
- All written documents in the process will be retained by Clinton Transit for at least one year.

Clinton Area Transit System

**Title II of the Americans with Disabilities Act (ADA)
Section 504 of the Rehabilitation Act of 1973
Discrimination Complaint Form**

Instructions: Please fill out this form completely, sign and mail, fax, or email to:

Clinton Transit ADA Coordinator
215 N. Scott Road, St Johns, MI 48879
Fax: (989) 224-7034
ADACoordinator@clintontransit.com

Complainant Full Name: _____

Address: _____

City, State and Zip Code: _____

Telephone:

Home: () _____ Mobile: () _____

Email address: _____

Person Discriminated Against: _____
(if other than the complainant)

Address: _____

City, State and Zip Code: _____

Telephone:

Home: () _____ Mobile: () _____

Email address: _____

When did the discrimination occur? Date: _____

Clinton Area Transit System

**Title III of the Americans with Disabilities Act (ADA)
Reasonable Modification Request Form**

Instructions: Please fill out this form completely, sign and mail, fax, or email to:

Clinton Transit ADA Coordinator
215 N. Scott Road, St Johns, MI 48879
Fax: (989) 224-7034
ADACoordinator@clintontransit.com

Passenger Full Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone number: (_____) _____ - _____

Email address: _____

If the request is being made by someone else on behalf of the passenger, please provide name, relationship to the passenger, and telephone number:

Advocate Name: _____

Relationship to Passenger: _____

Telephone number: (_____) _____ - _____

Describe the passenger's disability or disabilities.

Describe the service policy or program that may need to be modified to allow the passenger full access to the transit services provided.

How does the current service policy or program prevent the passenger from using the transit service or program?

Please describe the specific modification to the current policy/procedure that you are requesting.

How would you like Clinton Transit to respond to your request?

- In writing to the address listed on page 1
- By email to the email address listed on page 1

If *future* communications regarding this request are needed in an alternate format, please indicate the appropriate format below:

- large print (font size needed: _____)
- Spanish
- Other _____

This form can be requested in large print or Spanish by calling 989-224-8127 or emailing ADACoordinator@clintontransit.com.

Please send the completed form *and any required documentation of disability* to:

Clinton Transit ADA Coordinator
Clinton Area Transit System
215 North Scott Road
St. Johns, MI 48879
Fax: (989) 224-7034
Email: ADACoordinator@clintontransit.com

Electronic versions of the completed form and scans of required documentation of disability should be sent to ADACoordinator@clintontransit.com.

Clinton Area Transit System will provide a written response to your Request for a Reasonable Modification within seven (7) days of its receipt. To check on the status of the request, call Clinton Transit at 989-224-8127.