

Senior Citizens of Humboldt County, Inc. and Pleasant Senior Center
Public Transportation Program
Reasonable Modification of Program Policy

1. Purpose

The Purpose of the reasonable modification policy is to ensure that Pleasant Senior Center (PSC) offers equal and effective opportunities and access to public transportation services for persons with disabilities in full compliance with the provisions of the Title II of the Americans with Disabilities Act of 1990 and Section 504 of the rehabilitation Act of 1973.

2. Policy

Pleasant Senior Center is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services, and activities. PSC recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modification to policies and procedures. PSC will adhere to all applicable federal and state laws, regulations and guidelines with respect to providing reasonable modifications as necessary to afford equal access to programs for persons with disabilities. PSC does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. PSC will take the appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of PSC, or be subject to discrimination by PSC.

3. Reasonable Modification

A reasonable modification is a change or exception to a policy, practice, or procedure that allows disabled individuals to have equal access to programs, services, and activities. PSC will make reasonable modifications to policies, practices and procedures when necessary to ensure access to transit services for qualified individuals with disabilities unless:

- Making the accommodation would fundamentally alter the nature of the public service.
- Making the accommodation would create a direct threat to the health or safety of other passengers.
- The individual with a disability is able to fully use PSC's service without the accommodation being made.

For the purpose of this section the term reasonable accommodation shall be interpreted in a manner consistent with the term "reasonable modification" as set forth in the Americans with Disabilities Act Title II regulations at 28 CFR 35.130(b)(7).

4. Eligibility Criteria

An individual is eligible to be considered to receive a reasonable modification if that individual has: a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such impairment, or has been regarded as having had such impairment.

5. Requests for Reasonable Modification

Pleasant Senior Center shall make information about how to contact PSC to make requests for reasonable modification readily available to the public through its ridership guidelines. PSC shall follow these procedures when taking requests:

- a. Individuals requesting modifications shall describe what they need in order to use the service.
- b. Individuals requesting modifications are not required to use the term “reasonable modification” when making the request. Personnel at PSC will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- c. Pleasant Senior Center requests that individuals make such requests for modifications before PSC is expected to make the modified service.
- d. Where a request for modification cannot practicably be made and determined in advance (e.g.: because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with the disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with PSC’s management before making a determination to grant or deny the request.

Requests for accommodation may be made either orally or in writing and immediately the reasonable accommodation process begins.

The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone call, or taped requests will be made available for persons with disabilities if unable to communicate their requests in writing, or upon their request.

6. Time Frame for Processing Requests and Providing Reasonable Modification

PSC will process requests for reasonable modifications and then provide the modification in as short a time frame as reasonably possible. PSC recognizes that the time to process a request will depend on the nature of the request and whether it is necessary to obtain supporting information.

7. Granting a Reasonable Modification Request

As soon as PSC determines that a reasonable modification will be provided, that decision shall be immediately communicated to the individual requesting the modification. This notice may be verbal, or in writing in order to maintain the required information for reporting purposes.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered or existing facilities, or designated or specific transportation services, PSC 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 the individuals with disabilities.

8. Denying a Reasonable Modification Request

As soon as PSC determines that a request for reasonable modification will be denied, PSC will communicate the basis for the decision to the individual. The explanation for the denial will clearly state:

- a. the specific reason for the denial;

- b. any alternative accommodation that may create the same access to transit services as requested by the individual; and
- c. the opportunity to file a complaint relative to the PSC's decision on the request.

9. Complaint Process

PSC has a process for investigating and tracking complaints from qualified individuals. These procedures are posted on the PSC's information boards, and on the buses themselves. An opportunity to complain is provided to any individual where PSC has denied a request for service modification. The process and forms necessary to file a complaint are readily available from the Humboldt County website, the Humboldt County Assistant Manager and the Pleasant Senior Center staff. Alternative methods for filing complaints such as personal interviews or phone calls will be made available to persons with disabilities if unable to communicate their request in writing, or upon request.

Any person who believes she/he has been discriminated against in obtaining a reasonable modification may file a complaint by completing and submitting a PSC complaint form. PSC follows the Participants Complaint Policy and Procedures for all programs and services. PSC will investigate all complaints that are received no more than 10 days after the date of the incident. PSC will process only complete complaint forms. If more information is necessary, PSC may contact the complainant. If PSC does not receive the requested additional information, the complaint may be closed. Additionally, a complaint may be closed if the complainant no longer wishes to pursue the case.

After PSC investigates the complaint, a decision will be rendered to the complainant. PSC will issue a written decision. If the complainant disagrees with the decision of PSC, an opportunity to appeal the decision may be pursued through a participant grievance. In the event of an appeal or grievance, the complainant will be granted all due process, including the ability to present additional evidence. The Pleasant Senior Center Participant Grievance Policy and Procedure will be followed.

9. Designated Employee

PSC shall designate one official within the transit program to be responsible for processing reasonable modification requests and handling complaints. This individual is:

Kim Swope, Transit Program manager
Pleasant Senior Center
1480 Lay Street
Winnemucca, NV 89445
(775) 623-6211
transporthcsc@wmca.net

10. Record Retention

PSC will maintain all records related to reasonable modification requests and denials for three (3) years in the transit program files.

This policy has been reviewed and formally adopted by the Board of Trustees of the Senior Citizens of Humboldt County, Inc.

Signed

Date