

Reasonable Modifications:

Reasonable Modification Procedures

REASONABLE MODIFICATION REQUEST FORM

Complete this form to describe what needs to be modified for you to access our transit services.

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 EARL Public Transit is required to make reasonable modifications or Modifications to our policies and practices to ensure individuals with disabilities have equal access to EARL's transit programs and services. Beginning July 13, 2015, EARL 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 EARL's service. Individuals should state their impending trip date within their request, if possible. EARL can take up to 21 days to process ADA Reasonable Modification request. Requests can be made through general customer service inquiries by emailing scheduler@neicac.org or by calling Dispatch at 866-382-4259.
2. **Designated Responsible Employees:** EARL's Supervisor's, are the responsible employees to approve/deny pending reasonable modification requests. **Attn: EARL Transit Supervisor, 305 Montgomery St., Decorah, Iowa 52101 or scheduler@neicac.org or 563-387-4955.**

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

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 Deputy Director, David Boss, as part of the general complaint process.
4. **Requests In Advance:** Whenever feasible, requests for modifications should be made and determined in advance, before EARL 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 EARL administrative staff could also be involved in providing more information for any modification approval/denial determinations.

5. **Requests during Transit Trip:** Where a request for modification cannot practicably be made and determined in advance, operating personnel will make a determination of whether the modification should be provided at the time of the request. If necessary, drivers will consult with EARL's Supervisors 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 a EARL Transit Supervisor for official documentation.
6. **Reasonable Modification Approvals:** Any approved modification for a passenger with a disability shall be noted, and printed on the driver instructions (schedule/manifest) when picking up the passenger. It can take up to 21 days for EARL 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 EARL's 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 EARL's services, programs, or activities for their intended purpose
 - Results in an undue financial and administrative burden
8. **Other Actions Prior to Official Denial:** Any denials of formal requests prior to the trip would be confirmed with EARL Transit Supervisors and EARL's Director to ensure no other Modifications could be made to allow the individual to receive transit service. In any case in which EARL denies a request for a reasonable modification as requested by the passenger, EARL 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 EARL.
9. **Reasonable Modification Denials:** Any denials for reasonable Modification by EARL 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, EARL 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:** EARL's complaint and reasonable Modification procedures are available on Northeast Iowa Community Action Corporation's website at www.neiac.org or by an individual's request to EARL. For a copy of these procedures, please call EARL Dispatch at 866-382-4259 or e-mail scheduler@neiac.org and request these procedures be sent via mail or email.

COMPLAINT Process:

REASONABLE MODIFICATION COMPLAINT FORM

Complete this form to describe your complaint in specific details to assist in our investigation of your allegations.

INFORMAL (verbal) Complaint Process (Grievance)

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

- Call our Customer Service Department at 866-382-4259 and let them know of your concern / complaint. If they are unable to assist you, they will complete a comment form, which will be given to EARL Management for review.
- The Supervisor will research the concern/complaint, and conduct a follow-up phone call with you within 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 – EARL Public Transit should be submitted in writing directly to the Deputy Director at the address listed below.

Deputy Director
Northeast Iowa Community Action Corporation
P.O. Box 487
Decorah IA 52101

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

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

Reasonable Modification Form

Send Correspondence To:
Email To: scheduler@neicac.org
Fax To: 563-382-4681

Personal Information	
Rider Name	
E-mail	
Phone	
DOB	
Pick Up Address	
Drop Off Address	
Emergency Contact Name	
Emergency Contact Number	
<p>Reasonable Modification Request (Optional): Describe any modifications to EARL's policies, or practices in order for you (an individual with disabilities) to access EARL's services. (These requests may also be made as you schedule your service.)</p>	
Received & Responded Dates:	
Approved/Denied:	
Supervisor Notes:	
Supervisor Signature:	

Reasonable Modification Complaint Form

It is the policy of EARL Public Transit to uphold and assure full compliance with the Americans with Disabilities Act (ADA), and all related statutes. ADA and related statutes provide that transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities under any program or activity receiving Federal assistance.

Any individual that believes they have not been provided with a reasonable modification for disability under DOT 49 CFR Parts 27 & 37 and related statutes in receiving EARL services may file a written complaint to the following address:

Deputy Director
Northeast Iowa Community Action Corporation
P.O. Box 487
Decorah IA 52101
Complaints may also be sent via email to: david@neicac.org

More information about transit-related ADA requirements may be found on the Federal Register:
<https://www.govinfo.gov/content/pkg/FR-2015-03-13/pdf/2015-05646.pdf>

Note: Apart from the form, **on separate pages**, please describe your complaint. You should include specific details such as names, dates, times, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.

I believe that EARL has failed to comply with the following program requirements:

- ☐ Americans with Disabilities Act (ADA)
- ☐ 49 CFR Parts 27 & 37
- ☐ Not Applicable
- ☐ Other (specify): _____

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Numbers:

Home: _____ Cell: _____

E-Mail Address: _____

Are you filing this complaint on your own behalf? _____ Yes _____ No

If not, please supply the name and relationship of the person for whom you are filling this complaint:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filling on behalf of the third party: ☐ Yes ☐ No

Please Sign Here: _____

Date: _____

Important: We cannot accept your complaint without a signature, so please sign the form after printing out.

Do not forget to attach details about the complaint.