

County of Lebanon Transit Authority (LT)



Americans with Disabilities Act of 1990 Reasonable Modification Policy

Notice to the Public

Lebanon Transit values all of their customers and will strive to ensure their customers, in particular those with disabilities, are considered when developing Fixed Route bus service, stops, customer amenities and when procuring vehicles and equipment. Lebanon Transit customers who utilize the Americans with Disabilities Act of 1990 (ADA) Complementary Paratransit/Shared Ride service will be provided with door-to-door service vs. curb to curb when needed, to better serve their needs.

What is a Reasonable Modification

To ensure that programs and services are accessible to customers with a disability, an individual may request that a modification to Lebanon Transit policies, practices and procedures be made in certain instances to allow them to access and utilize the services.

There are no restrictions on when a customer can request a Reasonable Modification although Lebanon Transit supports and encourages customers to place a written request as soon as possible.

Exceptions

Lebanon Transit must consider all requests for Reasonable Modifications as long as the following apply:

- Will not place an undue financial and/or administrative burden on Lebanon Transit;
- Will not constitute a fundamental alteration of Lebanon Transit's current transportation services, programs, or activities;
- Cannot cause a direct threat to the health or safety of others;
- Cannot adversely affect Lebanon Transit's service provided to other customers;
- Cannot jeopardize the functionality or use of equipment used to provide Lebanon Transit services; and
- May not be approved if the customer with a disability is still able to fully use Lebanon Transit services, programs, or activities for their intended purpose without the requested modification.

Public Request Process

Whenever feasible, requests for modifications should be made in advance. This is particularly appropriate where a permanent or long-term condition or barrier is the basis for the request. In the ADA Complimentary Paratransit/Shared Ride context, requests can be made in conjunction with the Lebanon Transit ADA Complementary Paratransit/Shared Ride application process.

Lebanon Transit's process for public submittals of requests for Reasonable Modification is as follows:

- Requests should be as specific as possible and include information on why the requested modification is needed to allow the customer to use Lebanon Transit services;
- Requests should be made in writing or by email, but Lebanon Transit will accept a request by phone, if needed. Requests should be directed to **Angela M. Luciotti, Executive Director**, 200 Willow Street, Lebanon, PA 17046 or aluciotti@lebanontransit.org;
- If needing accessible format including large print, TDD, audio tape or other request, contact the Lebanon Transit office at 717.274.3664;
- Requests may also be completed on the Lebanon Transit ADA Reasonable Modification/Accommodation Form;
- If a phone request is made and the Lebanon Transit Executive Director is unavailable, the request will be directed to a designee. Phone requests to Lebanon Transit must be made during normal business days and hours of operations at Lebanon Transit's Administrative Office Monday-Friday, 8:00 A.M. to 4:00 P.M, at 717.274.3664;
- “On-the-spot” requests will be accepted for circumstances that may arise while utilizing Lebanon Transit’s transportation services by making a request to the driver. Such requests should be made as soon as the circumstance is made known to the requester. The driver may make the decision or request a decision of the Executive Director or his/her designee, dependent upon the situation;
- Alternative means of filing a request, such as personal interviews or taped requests if unable to communicate their requests in writing or upon request. The Reasonable Modification process starts as soon as the request is made; and
- All requests/documentation shall be maintained in a designated file at Lebanon Transit’s administrative office for a minimum of five (5) years from the date of requests.

Refusal of Service & Non-Discrimination

Lebanon Transit can refuse to provide service to a customer with disabilities if that customer engages in violent, seriously disruptive, illegal conduct or represents a direct threat to the health or safety of others. However, Lebanon Transit will not refuse to provide service to a customer with a disability solely because the disability results in an appearance or behavior that may offend, annoy, or inconvenience Lebanon Transit staff/employees or other individuals.

Time Frame for Processing Requests and Providing Reasonable Modification

Lebanon Transit will process requests for Reasonable Modification and then provide modifications where appropriate, in as short a time frame as reasonably possible. Lebanon Transit recognizes however, the time necessary to process a request will depend on the nature of the accommodation(s) requested and whether it is necessary to obtain supporting documentation.

Granting a Reasonable Modification Request

As soon as Lebanon Transit determines a reasonable modification will be provided, that decision shall be immediately communicated to the customer. Approval may take the form of a verbal response but will be followed up in writing as necessary for ongoing approval and for reporting purposes. Upon request, alternative means of response will be provided in addition to the written response.

Request Denials/Appeal

If a request for Reasonable Modification is denied, the requester has the right to appeal the decision by following Lebanon Transit's **ADA/Title VI Civil Rights Appeal Form**. Appeals must be filed within **sixty (60) calendar days**, forms are available upon request at 717.274.3664 and on the website at www.lebanontransit.org. Also, Lebanon Transit will take, to the maximum extent possible, any other actions that may be available to them to ensure that the customer with a disability receives the services or benefits provided by Lebanon Transit that would not result in a direct threat or fundamental alteration.

The explanation for the denial will clearly state:

- Specific reason(s) for the denial;
- Any alternative modification that may create the same access to transit services as requested by the individual;
- The opportunity to file a complaint relative to Lebanon Transit's decision on the request.

Complaint Process

Any customer who believes they have been discriminated against in obtaining a Reasonable Modification may file a formal complaint by completing a Complaint Form. Complaints are taken by the **Human Resources Manager** by phone at 717.274.3664 or by email at humanresources@lebanontransit.org.

Alternative means of filing complaints, such as personal interviews or taped requests, will be made available for customers with disabilities unable to communicate their request in writing or upon request.

Lebanon Transit uses its best efforts to investigate complaints generally within forty-five (45) calendar days after receipt. Once the complaint is received, the complainant will receive an acknowledgement of receipt typically within five (5) business days of receipt of complaint. If more information is needed to resolve the complaint, Lebanon Transit may contact the

complainant. If the information is not received within thirty (30) days from the date of the request, the complaint will be marked undetermined and closed.

After Lebanon Transit investigates the complaint, a decision will be rendered in writing to the complainant. Lebanon Transit will either issue a: “Letter of Closure” or “Letter of Finding”.

- Letter of Finding – This letter will summarize the complaint, any interviews conducted regarding the complaint, and explain what actions will be taken by Lebanon Transit to address the complaint.
- Letter of Closure - This letter will explain why Lebanon Transit has determined the complaint does not merit modification under ADA and the complaint will be closed.

If the complainant disagrees with Lebanon Transit’s decision, you will have an opportunity to appeal the decision.

A complainant may file an appeal of an ADA or Title VI determination within **sixty (60) calendar days** of the date of the written decision.

- Acknowledgment of appeal: within **5 business days**
- Written decision on appeal: within **45 calendar days** of receipt

Appeals will be reviewed by a staff member who was not involved in the original determination, when feasible. Appeals will be handled in an accessible manner, including alternative formats upon request.

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Lebanon Transit
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Lebanon Transit is a Drug Free Workplace
Lebanon Transit is an Equal Employment Opportunity Employer