



Policy Bulletin No: **GHTD- 54**
Subject: **Procedures for Accommodating Reasonable Modification Requests**
Date: **November 4, 2016**

The District (the “District”) has developed the Procedures for Accommodating Reasonable Modification Requests after the March 13, 2015 Federal Department of Transportation (DOT) issued a Final Rule regarding 49 CFR Parts 27 and 37: Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices. The Federal Register Vol. 80, No. 49 (80FR13253) notes that:

“Public entities 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, subject to the limitations of 37.169(c)(1)-(3).”

It is the District’s policy to make reasonable modifications to its policies, practices, or procedures when requested to do so by individuals with disabilities when such accommodations are necessary to avoid discrimination on the basis of disability.

Requests for accommodations will be considered on a case-by-case basis and may be denied on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of The District’s service, programs, or activities;
- Granting the request could create a direct threat to the health or safety of the requestor or others;
- Granting the request would create an undue financial or administrative burden for the Agency; or
- Without such modification, the individual with a disability is otherwise able to fully use the District’s services, programs, or activities for their intended purpose.

In determining whether to grant a requested modification, the District will be guided by the provisions of United States Department of Transportation at 49 CFR Appendix E to Part 37.169.

When choosing among alternatives for accommodations, the District will give priority to those methods that offer services, programs and activities to qualified individuals with disabilities in the most integrated setting appropriate for the needs of the individual(s) with disabilities. In any case in which the District denies a request for an accommodation, the District will attempt to

ensure that the individual with a disability receives the services or benefits provided by the District by other means that comport with this policy.

Procedures for Accommodating Reasonable Modification Requests

Requests for modifications of The District's policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. The District is best able to address and accommodate a request when passengers make their requests for modifications in advance. The process for making a request is as follows:

Advance Requests:

- When making a request, the passenger should describe what is needed in order for them to use the service, and why the assistance is necessary. When requesting a reasonable modification, the term "reasonable modification" does not have to explicitly be used in order to be considered.
- Whenever feasible, a request for modification to the District's service should be made in advance before The District is expected to provide the service. The District will review their request, and will make every effort to communicate in advance whether or not the requested modification can be made.
- If the modification is not made, the District will provide the reason for the denial of the request. Requests may be denied on one or more of the following grounds:
 - Granting the request would fundamentally alter the nature of The District's service, programs, or activities;
 - Granting the request could create a direct threat to the health or safety of the requestor or others;
 - Granting the request would create an undue financial or administrative burden for the Agency; or
 - Without such modification, the individual with a disability is otherwise able to fully use The District's services, programs, or activities for their intended purpose
- Information regarding requesting reasonable modifications is available on the District website: (www.hartfordtransit.org) as well as within the printed materials provided to the public (i.e. rider guides, etc).
- Requests for reasonable modification may be accessed online at www.hartfordtransit.org. Passengers may click on the ADA Paratransit Service tab and then click **Reasonable Modification Request Form**. A form is available to print, fill out, and mail to the address on the form.
- Requests can also be made by calling 860-247-5329 ext 3011.
- Written requests can be mailed to: the District, One Union Place, Hartford, CT 06103 attention: Director of ADA Paratransit.

Same Day Requests:

- Whenever possible, the District asks that requests for reasonable modifications be made in advance before the modification is expected to be performed. The District is aware that some reasonable modifications occur without prior warning due to the nature of using complementary paratransit. When such cases arise in which a reasonable modification is requested without prior notice on a case-by-case basis due to circumstance (i.e. because of a condition or barrier at a destination which the individual with a disability was unaware until arriving), the request can be made on the same day, at the time of, or during service.
 - A same day request for a reasonable modification can be made to the service provider by calling: 860.724.5340 ext. 2.
 - The passenger must describe in what accommodation is required and why it is necessary in order to use the service.
 - The service provider will make a determination to grant or deny the request and may grant a request if such request is reasonable and meets the requirements of the District's policies.

- Requests may be denied on the following grounds:
 - Granting the request would fundamentally alter the nature of The District's service, programs, or activities;
 - Granting the request could create a direct threat to the health or safety of the requestor or others;
 - Granting the request would create an undue financial or administrative burden for the Agency; or
 - Without such modification, the individual with a disability is otherwise able to fully use The District's services, programs, or activities for their intended purpose

Designated employee for compliance: The District has designated the ADA Paratransit Director or its designee, as the employee responsible for ensuring compliance of this policy and for administering the prompt and equitable resolution of any related complaints. Contact information is as follows:

ADA Paratransit Director
One Union Place, Hartford, CT 06103
(860) 247-5329 ext 3011
Pwilliams@ghtd.org

- Requests for modifications will be assigned to the ADA Paratransit Director and/or designated staff for review and evaluation. Before approving a reasonable modification, the ADA Paratransit Director and/or designated staff will discuss the request with the contractor's staff regarding the feasibility and safety of requests for reasonable modification. Requests for modifications in which a permanent or long-term condition or barrier is the basis for the request should be made in advance.
- All reasonable modification requests will be acknowledged within two (2) business days of receipt. The resolution and response to the person who submitted a request will be made within three (3)

business days, and the response will explain the reasons for the resolution. The response will be documented in the Reasonable Modification log. Any request requiring more than three (3) business days to resolve must be reviewed by the District Operational Administrator, and documented as to why the resolution required extra time for a resolution. In any case in which the District denies a request for a reasonable modification, the District 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 passenger with a disability receives the services or benefits provided by the District to use the complementary paratransit service. Examples of Reasonable Modification requests that are not reasonable requests that either modify regulations or fundamentally alter the service include but are not limited to: asking for service outside the service area, asking that a passenger's ride be a direct ride (complementary paratransit is a shared-ride service), and/or asking a driver to act as a personal care attendant.

Complaint Process and Contact Information: Complaints regarding the administration of or compliance with this policy shall be made in writing either by letter or email addressed to the Agency's Civil Rights Officer, or by completing and returning the Title VI or Discrimination Complaint Form found at: <http://www.hartfordtransit.org/>

All complaints will be handled in accordance with The District's Title VI and Discrimination Complaint Process found at: [http:// hartfordtransit.org](http://hartfordtransit.org). The District will make every effort to make a prompt and equitable resolution of any complaint. The Agency's response to any Title VI complaint will be in writing and will include the Agency's decision and the reason(s) therefore.

All materials are available in accessible format and in languages other than English upon request.