



## REASONABLE MODIFICATION AND ADA VIOLATION COMPLAINT PROCESS AND FORM

AC Transit is committed to ensuring that the District complies with the Americans with Disabilities Act (ADA), including Section 49 CFR Parts 27 and 37. Transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that programs are accessible to individuals with disabilities.

Any person who wishes to file a complaint regarding a request for Reasonable Modification or alleging any action by AC Transit prohibited by the Americans with Disabilities Act (ADA) regulations may file a written complaint.

### **Complaints should be mailed or e-mailed to:**

Accessible Services Specialist  
AC Transit  
1600 Franklin Street, 7<sup>th</sup> Floor  
Oakland, CA 94612  
Email: [kridgeway@actransit.org](mailto:kridgeway@actransit.org)

1. To file a complaint, the attached complaint Form should be completed and submitted.
2. All complaints **must** be submitted in writing. If the complainant is unable to write because of a disability and needs assistance in completing the form, AC Transit staff will assist by scribing the complaint by phone. Please call the Accessible Services Specialist at (510) 891-7261 or dial 711 for the California Relay Service.
3. AC Transit will begin an investigation within fifteen (15) working days of receipt of a written complaint.
4. AC Transit will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If the complainant fails to provide the requested information in a timely basis, AC Transit shall administratively close the complaint.
5. AC Transit will complete the investigation within ninety (90) days of receipt of the complaint. If additional time for investigation is needed, the complainant will be contacted.
6. A written response will be prepared by the Accessible Services Manager which will include a summary of the findings and recommended action. The complainant will have fifteen (15) working days from receipt of the response to appeal. If no appeal is received, the complaint will be closed.



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### Complaint Appeals Process

A complainant who is not satisfied with AC Transit's response to a complaint regarding a request for reasonable modification or alleging any action by AC Transit that is prohibited by the Americans with Disabilities Act (ADA) regulations has the right to appeal. Information about how to submit an appeal via US mail is included in the response to the complaint.

The Reasonable Modification/Accommodation Appeals Panel consisting of an AC Transit Accessible Services Representative, a member of the AC Transit Accessibility Advisory Committee and an AC Transit Customer Relations Representative will hear the appeal. The appeal date and time will be established based on the availability of the three (3) member panel and within calendar 21 days of the date of the appeals request.

The panel will meet and make a decision based on information from the appellant, ADA regulations and exceptions to the rule spelled out in the regulation. These exceptions are:

- When the modification/accommodation would cause a direct threat to the health or safety of others,
- Would result in a fundamental alteration of the service,
- Would not actually be necessary in order for the individual with a disability to access the entity's service, or
- Would result in an undue financial and administrative burden (for recipients of Federal financial assistance).

To file a complaint regarding a request for reasonable modification or alleging any action by AC Transit prohibited by the Americans with Disabilities Act (ADA) regulations, please provide **in writing** the following information:

If the complainant is unable to write because of a disability and needs assistance in completing the form, AC Transit staff will assist by scribing the complaint by phone. Please call the Accessible Services Specialist at (510) 891-7261 or dial 711 for the California Relay Service.

