



SUBJECT: Transportation Services Policy for Individuals with Disabilities (ADA), including Reasonable Modifications and Complaints

Americans with Disabilities Act

Easterseals NH complies with all provisions of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973, as amended. Easterseals NH does not discriminate on the basis of disability in its programs, services, activities and employment practices. If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or a reasonable modification in programs, services or activities contact the ADA Coordinator as soon as possible, preferably 14 days before the activity or event.

Complaints concerning discrimination on the basis of disability by Easterseals NH may be filed in writing or in person to the ESNH Operations Manager of Transportation at 180 Zachary Rd. Manchester, NH 03109. The Operations Manager will contact the complainant within 7 calendar days after receipt of the complaint to discuss the complaint and will respond in writing within 14 days of the discussion.

A grievance procedure is available to resolve complaints and complainants have the right to appeal a decision.

Upon request, this notice and the complaint form are available in alternative formats, such as large print.

General: Consistent with the Americans with Disabilities Act (ADA) and the Rehabilitation Act of 1973, Easter Seals NH, Inc. (ESNH) makes every reasonable effort to accommodate users of the service by providing accessible transportation services. The Department of Transportation (DOT) published a rule (49 CFR Parts 27 and 37) effective July 13, 2015 which requires providers of transportation services, like ESNH, to make reasonable modifications to its services to avoid discrimination and ensure that services are accessible to individuals with disabilities. This document describes the processes that ESNH will use to implement this rule.

Responsible Employee: The ESNH Operations Manager of Transportation is designated as the person who will coordinate ESNH's efforts to comply with the rule. The Operations Manager will consult with all of ESNH's contracted service providers to ensure their adherence to the processes established.

Processes:

Requests for Modification: Individuals with disabilities wanting ESNH or its providers to modify the transportation policy or practice should submit a request for modification to the ESNH Call Center, preferably at the time they submit their ride request. The details required by ESNH for the requested modification can be found on the Request Form at Appendix A. In the case where an advanced request for modification cannot be made, the individual may request such service modifications from operations

personnel (notably ESNH van drivers) during an ESNH ride. Drivers may make the determination to grant or deny the request, or may have to consult with ESNH management prior to making the determination.

Complaint Procedure: Should an individual with a disability have a complaint or feel that their request for reasonable modification has not been fairly considered or granted, ESNH provides a process for ESNH service users to file a complaint. The Complaint Form can be found at Appendix B, and should be mailed, emailed, or brought to the ESNH Operations Manager of Transportation at the addresses found on the form. The Operations Manager will respond to the allegations of the filed complaint within 30 days of receipt.

Reasons to Deny Modification: There are four reasons why ESNH might deny a request for modification of its services to accommodate an individual with a disability.

They are:

1. Where granting the request would fundamentally alter ESNH's services, programs, or activities.
2. Where granting the request would create a direct threat to the health or safety of others.
3. Where without the requested modification, the individual with a disability is able to fully use ESNH services, programs, or activities for their intended purpose.
4. Where granting the request would cause an undue financial and administrative burden.

Appendices