

# AMERICANS WITH DISABILITIES ACT PLAN

Including policies regarding General ADA Requirements, Reasonable Modifications,  
No Shows, and a Suspension Appeals Process

Version 1223

*for*

## GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.

**Approved by:**

GCSCC Committee Board

**Date Approved:**

January 1, 2024

**ADA Contact Information**

Name & Title: Shon Gress, Executive Director, CEO

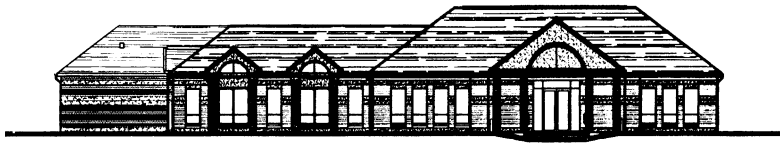
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**Reasonable Modification Contact Information**

Title: Shon E. Gress, Executive Director/CEO



**Guernsey County Senior Citizens Center, Inc.  
Senior Coordinated Transportation Services Policy Manual  
1022 Carlisle Avenue, Cambridge, Ohio 43725**

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SUBJECT: ADA Compliance Statement      SECTION:

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EFFECTIVE DATE: January 1, 2009      REPLACES:

APPROVED BY: GCSCC Executive  
Board

APPROVAL DATE: February 12, 2009

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DIRECTIVE:

For Guernsey County Senior Citizens Center, Inc.(GCSCC) to maintain ADA Compliance.

PROCEDURE:

**ADA Policy**

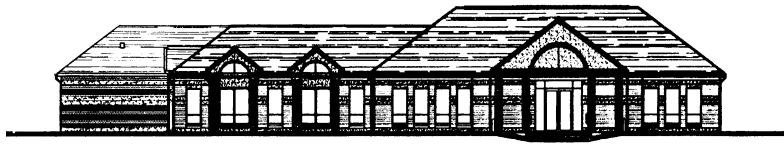
GCSCC makes it a priority to ensure equal access, seating and treatment for all passengers. No passenger riding any GCSCC service vehicle will be subjected to discrimination under the rules of Title II of the Americans with Disabilities Act of 1990 (as amended).

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available to everyone without discrimination regardless of development disability, impairment, physical ability or inabilities within reasonable accommodation in accordance to the law.

It is the policy of GCSCC that, when viewed in their entirety, services, programs, facilities, and communications provided by GCSCC, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible. 49 CFR 37.105

RESPONSIBILITIES:

Administration shall adhere and comply with the responsibilities as defined above.



**Guernsey County Senior Citizens Center, Inc.  
Senior Coordinated Transportation Services Policy Manual  
1022 Carlisle Avenue, Cambridge, Ohio 43725**

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SUBJECT: Americans with Disabilities Act    SECTION:  
          Compliance

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EFFECTIVE DATE: January 1, 2009            REPLACES:  
APPROVED BY:    GCSCC Executive  
                          Board  
APPROVAL DATE: February 12, 2009

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DIRECTIVE:

To ensure all GCSCC transportation services be provided in a way that does not discriminate against persons with disabilities and to full comply with the intent of the Americans with Disabilities Act of 1990.

DEFINITIONS:

Americans with Disabilities (ADA)-Passed by Congress in 1990, this act mandates equal opportunities for persons with disabilities in the areas of employment, transportation, communications and public accommodations. Under this Act, most transportation providers are obliged to purchase lift-equipped vehicles for their fixed route services and must assure system-wide accessibility of their demand response services to persons with disabilities. Public transit providers also must supplement their fixed route services with complementary paratransit services for those persons unable to use fixed route service because of their disability.

PROCEDURE:

1. No person shall be denied access to participate in GCSCC transportation service, programs, or activities simply because a person has a disability.
2. GCSCC will provide programs and services in the most integrated setting possible.
3. GCSCC will establish eligibility standards or rules that ensure individuals with disabilities have an equal opportunity to enjoy their services, programs, or activities.
4. GCSCC will establish policies, practices, and procedures that ensure equal access to individuals with disabilities.
5. GCSCC will furnish auxiliary aids and services when necessary to ensure effective communications.
6. GCSCC may provide special benefits, beyond those required by the regulations, to individuals with disabilities.

7. GCSCC will not require an individual with a disability to accept a special accommodation or benefit if the individual chooses not to accept it.
8. GCSCC will not place special charges or fees on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required for program accessibility.
9. GCSCC will operate so that, when viewed in its entirety, the system is accessible to and usable by individuals with disabilities.
10. GCSCC will insure every effort is made to “reasonably accommodate” transported individuals.
11. Title VI policies & procedures are applicable when federal transit funding is utilized and may supersede the following procedures. {Refer to publically posted Title VI applicable policies, rules, and procedures & [www.GuernseySenior.org](http://www.GuernseySenior.org) website}.

RESPONSIBILITIES:

The Executive Director; Senior Coordinated Transportation Supervisor/ Department Manager and the GCSCC Executive Board shall be as responsible for compliance.

## I. Introduction and Purpose

The Americans with Disabilities Act of 1990 (ADA) requires that individuals with disabilities receive the same level of service as non-disabled individuals. Services that are “separate but equal” are not acceptable. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

This ADA policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the Americans with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation (U.S. DOT) regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and any applicable state laws and regulations. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. operates a demand-response service and complies with ADA requirements with respect to such services.

### **ADA Policy Statement**

It is the policy of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.

**Goals:** Service is provided in a manner that meets the following goals:

1. Provides safe, accessible, and dignified services to all persons, including individuals with disabilities.
2. Expedites the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status.
3. Accommodates a wide range of mobility aids within the confines of available vehicles and commercial standard equipment.

**Applicability:** This policy applies to all transit system employees, services, facilities, and vehicles. It applies equally to all people needing and/or using the services provided by the system.

### **Definitions:**

*Disability:* With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

*Fixed Route Service:* Operates along a prescribed route according to a fixed (regular) schedule.

*Mobility Device:* A device that is designed to assist an individual with disabilities with locomotion. Examples include wheelchairs, canes, crutches, and walkers. Also called mobility aid.

*Securement Area or Station:* A designated location for riders using wheelchairs, equipped with a securement system.

*Securement Device, Equipment or System:* Equipment used for securing wheelchairs against uncontrolled movement during transport.

*Service Animal:* Any guide dog, signal dog, or other animal that has been individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

*Wheelchair:* A mobility aid belonging to any class of three- or more- wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

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## II. General Guidance and Procedures for Implementing Policy

### **Recruitment and Employment**

As stated in the transit system's personnel policies, the agency is an Equal Opportunity Employer (EOE) and fully complies with ADA in its recruitment, hiring, and continued employment practices.

### **Facility and Vehicle Accessibility**

The transit system administrative facility, passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38 and requirements of the State of Ohio. If state requirements do not meet federal requirements, the federal ADA regulations prevail. All vehicles purchased for fixed route and route deviation service will be accessible. Vehicles purchased for demand response service will only be non-accessible to the extent that the demand response system, when viewed in its entirety, provides the same level of service for individuals with disabilities as for individuals without disabilities. The transit system will conduct an analysis of service equivalency prior to the acquisition of any inaccessible vehicles for demand-responsive service.

### **Vehicle and Route Assignment**

All demand response vehicles operated by GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. are accessible and persons with disabilities, including wheelchair users, can board any vehicle. To the extent possible, the assignment of particular types of vehicles will be based upon rider needs.

The demand response system of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC., when viewed in its entirety, is accessible. All trips by wheelchair users

will be assigned to accessible vehicles. To the extent possible, the assignment of particular types of vehicles will be based upon rider needs. Trip denials will be tracked by whether or not a rider requires use of the lift or ramp, to monitor that service is not disproportionately denied to individuals with disabilities because an accessible vehicle is not available. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. provides demand response rural public transportation and provides equivalent service to individuals with disabilities, that is consistent with U.S. DOT ADA regulations under 49 CFR Part 37, Section 37.77. This transportation will be provided in the most integrated setting appropriate to the needs of the individual and will be equivalent to the service provided other individuals with respect to:

- Response time
- Fares
- Geographic area of service
- Hours and days of service
- Restrictions or priorities based on trip purpose
- Availability of information and reservations capability
- Any constraints on capacity or availability

### **Maintenance of Accessible Features**

Accessibility features on vehicles, including lifts, ramps, wheelchair securement devices and public address systems, will be maintained in operative condition. The preventive maintenance program of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers. In addition, the lift must be cycled as part of each pre-trip inspection.

### **Inoperative Lifts and Ramps**

Drivers are required to report lift or ramp failures immediately. Vehicles with inoperative lifts will be removed from service and replaced with an accessible vehicle until the inoperative lift is repaired. For vehicles equipped with ramps, it may be possible to continue in service as long as the ramp can be and is deployed manually when necessary. If an inoperative ramp cannot be (or is not) deployed manually, the transit agency will apply the policy for a vehicle with an inoperative lift.

If there is no spare vehicle available to take the place of a vehicle with an inoperable lift, such that taking the vehicle out of service will reduce the transportation service GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. is able to provide, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. may keep the vehicle in service with an inoperable lift for up to, but no more than:

- 3 days - since GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. serves an area of over 50,000 in total population.
- 5 days – since GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. serves an area of 50,000 or less in total population.

In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, then an agency would promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.

### **Wheelchair Accommodation**

All accessible vehicles meet or exceed the requirements of 49 CFR Part 38. Transportation providers are required to carry a wheelchair and its user, as long as the lift can accommodate the size and weight of the wheelchair and its user, and there is space in the securement area for the wheelchair on the vehicle without blocking the aisle. If a vehicle lift/ramp and securement area can accommodate a wheelchair (or other mobility device), GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will transport the device (and its user).

An individual who uses a wheelchair that, when occupied, exceeds the weight rating of the vehicle lift/ramp, will be offered the opportunity to board and disembark from the vehicle separately from the wheelchair. However, transit agency personnel are not permitted to operate a passenger's wheelchair (i.e. a motorized wheelchair). The individual may travel with another individual who can assist with operating the unoccupied wheelchair to maneuver it on and off the lift/ramp.

### **Boarding**

Drivers and scheduling practices will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary and waiting for passengers to be seated before moving the vehicle. Only a properly trained transit system employee can operate the lift or ramp and secure the wheelchair in the securement station. Passengers may board facing toward or away from the vehicle.

### **Wheelchair Securement**

- GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. does not require that wheelchairs be secured on board the vehicle. However, the driver will secure a passenger's wheelchair if requested by the passenger.
- GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. requires that all wheelchairs be secured. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. Drivers cannot deny a passenger a ride based on the inability to secure the wheelchair. However, drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service.

Securement of wheelchairs is the responsibility of the driver. Drivers are trained in the proper operation of all securement equipment based on the equipment manufacturer's specifications. Drivers will listen to and respect riders' instructions on how to secure



their equipment. Drivers cannot be expected to be familiar with each and every wheelchair type that may come aboard, and securement attachment points may differ by wheelchair manufacturer. The rider may be in the best position to instruct the driver on how to properly secure their mobility device.

If the securement system is not compatible with the wheelchair the passenger is using, the driver will still make an attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride in the vehicle.

Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area. The wheelchair is not allowed to block the aisle.

In cases where an individual using a wheelchair attempts to board and requires use of a securement location that is currently occupied by another passenger that is not using a wheelchair, the driver will ask that passenger to allow the individual using a wheelchair to use the securement position.

### **Seat Belt Usage**

When riding in a GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. vehicle, seat belts and shoulder harnesses:

- are recommended but not required for passengers riding in their secured wheelchair.
- are required for ALL passengers.

### **Driver Assistance**

Drivers will make themselves available to assist individuals with disabilities and will assist upon request of the passenger. Drivers will assist a passenger with using the vehicle ramp, lift and/or securement systems using the accessibility-related equipment and features on their vehicles.

### **Use of Lift or Ramp by Individuals with Disabilities Not Using a Mobility Device**

The driver will deploy the lift or ramp for an individual with a disability who is not using a mobility device to board or alight the vehicle upon request.

### **Accommodation of Other Mobility Devices**

Mobility devices that are not wheelchairs, but which are primarily designed to for use by individuals with mobility impairments, will be accommodated to the extent that the ADA-compliant lift or ramp and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

### **Transfer to Fixed Seating**

All passengers using wheelchairs have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, wheelchair users to transfer to fixed seating. No waivers are allowed to be required.

### **Accommodation of Portable Oxygen**

Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. DOT rules on the transportation of hazardous materials in 49 CFR Subtitle B, Chapter 1, Subchapter C.

### **Priority Seating**

With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating.

Priority seating for seniors and individuals with disabilities is to be designated by permanent signage in each vehicle. In cases where an individual with a disability requests use of priority seating that is currently occupied by another passenger, the driver will ask that passenger to move so as to allow the individual with a disability use of the priority seating. In cases where a wheelchair user requires the use of a securement location, the driver will ask any passenger (including other passengers with disabilities) to vacate the securement location.

### **Service Animals**

In compliance with 49 CFR Part 37, the transit system allows trained service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal but may ask what tasks the animal has been trained to perform. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. does not impose species or breed restrictions. However, any animal which is not under the passenger's control, or which becomes a direct threat to the health or safety of other passengers may be restricted from riding. Emotional support animals or "comfort animals" are not service animals within the context of the US DOT ADA regulations.

### **Alighting**

It is the responsibility of the driver to determine that the location for passenger alighting is safe. For fixed route, the driver will allow a passenger who uses the lift or ramp to alight at any stop, unless the lift or ramp cannot be deployed, will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair and operate the lift or ramp to return the passenger to the ground level.

### **Staff Training**

All drivers and transit system staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service requirements described, and in properly and respectfully assisting and treating individuals with disabilities with sensitivity. Mechanics are also trained to properly maintain lifts and other accessibility equipment.

### **Accessible Information**

All printed informational materials are made available in accessible formats upon request, for example, large print for individuals with low vision or audio for blind individuals, as well as accessible electronic formats.

### **Personal Care Attendants**

Under the ADA, an agency cannot require a passenger to have a personal care attendant (PCA). If a PCA accompanies a passenger, the PCA will ride free of charge. A family member or friend is not considered a PCA, unless that individual is acting in that capacity.

### **Stop Announcements**

- GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. does not operate a deviated-fixed route.
- GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. operates a deviated-fixed route service. As such, stop announcements and route identification announcements are made at transfer points, major intersections, destination points, intervals along the route sufficient to orient passengers to their location, and any stop request as is required.

Systems that operate a deviated-fixed route will:

- Make stop announcements using an automated system but ensure that drivers are trained to make announcements in the case of system failures.
- Train drivers to verbally make stop and route identification announcements in a clear and concise manner in order to adequately assist clients who may have a disability that prevents them from otherwise recognizing stops and/or routes.

### **Advertising of ADA Policies & Procedures, and Complaints**

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. ensures that the public is made aware of critical ADA policies and procedures as needed. The ADA complaint process is noted:

- On the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s website
- In the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s brochure
- In other pertinent documents

### **Complaint Procedure**

All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the [Manager] and promptly and objectively investigated. The designated individual who handles these complaints is listed on the first page of this document. Complaints are also submitted to the ODOT Civil Rights Office.

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant. The response will be documented. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment.

Documentation of each complaint will be kept on file for a minimum of one year, and a summary of all complaints will be kept for at least five years. This meets DOT regulations that require FTA grantees to maintain all complaints of noncompliance with 49 CFR Part 27 for one year, and a record of all such complaints, which is permitted to be in summary form, for five years.

## Reasonable Modification Policy

The purpose of the reasonable modification policy is to ensure that GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. offers equal and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of the Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

This policy applies to all safety-sensitive transportation vehicle operators including full, part time and those staff that may be required to operate the vehicle. For the purposes of this section, the term reasonable accommodation shall be interpreted in a manner consistent with the term “reasonable modifications” as set forth in the Americans with Disabilities Act Title II regulations at 28 CFR 35.130(b)(7), and not as it is defined or interpreted for the purposes of employment discrimination under Title I of the ADA (42 U.S.C. 12111–12112) and its implementing regulations at 29 CFR part 1630.

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. is committed to providing equal access and opportunity to individuals with disabilities in all programs, services and activities. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modifications to policies and procedures. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will adhere to all applicable federal and state laws, regulations and guidelines with respect to providing reasonable modifications, as necessary, to afford equal access to programs for persons with disabilities. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will take appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC., or be subject to discrimination by GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC..

A reasonable modification is a change or exception to a policy, practice, or procedure that allows persons with disabilities to have equal access to programs, services, and activities. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will make reasonable modifications to policies, practices, and procedures when necessary to ensure access to transit services for individuals with disabilities, unless:

- ◆ Making the accommodation would fundamentally alter the nature of the public transportation service.
- ◆ Making the accommodation would create a direct threat to the health or safety of other passengers.

- ◆ The individual with a disability is able to fully use GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s service without the accommodation being made.
- ◆ Making the accommodation creates an undue financial burden on the transit system.

#### ELIGIBILITY CRITERIA

An individual is eligible to be considered to receive a reasonable modification if that individual has:

- ◆ A physical or mental impairment that substantially limits one or more of the major life activities of such individual
- ◆ A record of such impairment
- ◆ Or has been regarded as having such impairment.

#### REQUESTS FOR REASONABLE MODIFICATION

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. shall make information about how to contact GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. to make requests for reasonable modifications readily available to the public through its website, brochures, and other rider policy guidelines. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. shall follow these procedures in taking requests:

- a. Individuals requesting modifications shall describe the modification to service needed in order to use the service.
- b. Individuals requesting modifications are not required to use the term "reasonable modification" when making a request. Personnel at GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- c. Whenever feasible, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. requests that individuals make such requests for modifications before GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. is expected to provide the modified service.
- d. Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s management before making a determination to grant or deny the request.

Requests for accommodation may be made either orally or in writing. The reasonable accommodation process begins as soon as the request for accommodation is made. The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

#### INTERACTIVE PROCESS

When a request for accommodation is made, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. and the individual requesting an accommodation must engage in a good faith interactive process to determine what, if any accommodation shall be provided. The individual and the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. must communicate with each other about the request, the process for determining whether an accommodation will be provided, and the potential accommodations. Communication is a priority throughout the entire process.

#### TIME FRAME FOR PROCESSING REQUESTS TO PROVIDE REASONABLE MODIFICATION

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will process requests for reasonable accommodation and then provide accommodations, where appropriate, in as short a time frame as reasonably possible. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. recognizes, however, that 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 information.

#### GRANTING A REASONABLE MODIFICATION REQUEST

As soon as GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. determines that a reasonable accommodation will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

#### DENIAL OF REASONABLE MODIFICATION REQUEST

As soon as GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. determines that a request for reasonable accommodation will be denied, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will communicate the

basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

- ◆ The specific reasons for the denial;
- ◆ Any alternative accommodation that may create the same access to transit services as requested by the individual; and
- ◆ The opportunity to file a complaint relative to the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s decision on the request.

#### COMPLAINT PROCESS

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. has a process for investigating and tracking complaints from qualified individuals. These procedures shall be posted on the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s website and will be provided to any individual where the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. has denied a request for accommodation. The process and any forms necessary to file a complaint are readily available from the web. Alternative means of filing complaints, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

Any person who believes she or he has been discriminated against in obtaining a reasonable modification may file a complaint by completing and submitting a GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.'s Reasonable Modification Complaint Form. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. investigates complaints received no more than 30 days after receipt. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will process complaints that are complete. Once the complaint is received, the complainant will receive an acknowledgement of receipt. If more information is needed to resolve the complaint, GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC..

If GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. is not contacted by the complainant or does not receive the additional information within 30 business days, the GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. may administratively close the complaint. In addition, a complaint may be administratively closed if the complainant no longer wishes to pursue their case.

After GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. investigates the complaint, a decision will be rendered in writing to the complainant. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will issue either a Letter of Closure or Letter of Finding.



- ◆ **Letter of Finding** – This letter will summarize the complaint, any interviews conducted regarding the complaint, and explains what actions will be taken by GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. to address the complaint.
- ◆ **Letter of Closure** – This letter will explain why GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. has determined that the complaint does not merit accommodation under the Americans with Disabilities Act and that the complaint will be closed.

If the complainant disagrees with the decision of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC., an opportunity to appeal the decision may be pursued provided the complaint files notice of appeal within 21 days of the initial decision of GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC..

In the event of appeal, the complainant will be granted all due process, including the ability to be present additional evidence, present the case in person during an appeal hearing, and to be represented by counsel.

DESIGNATED EMPLOYEE

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. shall designate one official within the organization responsible for processing reasonable modification requests and handling complaints. This individual is:

Shon E. Gress, Executive Director/CEO  
GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC.  
1022 Carlisle Ave Cambridge, OH 43725  
740-835-8474

RECORD RETENTION

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will maintain all records related to reasonable modification requests and denials for at least three (3) years.

## **No Show Policy**

This policy is intended to address the actions by habitual abusers of service scheduling and provide clear protocols for addressing passengers who fail to show for their scheduled trip without properly canceling the trip. This policy is intended to address those repeat offenders, and not the occasional incident that may occur with some passengers.

### DEFINITIONS

No-show – Any passenger who is unavailable for pick-up of a scheduled trip that has not notified GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. to cancel that trip. Trips in which passengers will not be picked up due to circumstances related to service will not be considered a no-show.

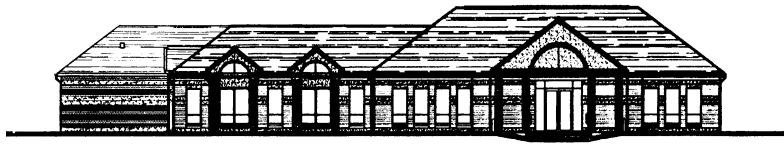
### NO-SHOW PROCEDURE

The transit operator will wait for passengers for 15 minutes beyond the early arrival pick-up time window. The transit operator will make reasonable attempts to locate the passenger. If the passenger cannot be located within the established 5 minutes, the transit operator must contact the Dispatcher with the no-show. Passengers who do not make themselves available within that window will be considered a no-show. The Dispatcher has the responsibility to determine if the transit operator is to continue without the passenger.

Upon permission to continue without the passenger, the transit operator is to record the arrival time, departure time, and vehicle mileage on the Daily Manifest.

Scheduled trips are to be cancelled at least one (1) hour prior to the time of the trip request. Any scheduled trip not cancelled within that window will be considered a no-show and will be logged as such. A no-show designation for a trip will be monitored to determine the habitual nature of no-shows associated with a passenger.

Exceptions may be made for passengers who are unduly delayed due to medical appointments or procedures and other circumstances beyond their control. The passenger will be required to contact GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. as soon as practicable following the missed trip and a new driver will be dispatched as soon as possible if applicable.



**Guernsey County Senior Citizens Center, Inc.  
Senior Coordinated Transportation Services Policy Manual  
1022 Carlisle Avenue, Cambridge, Ohio 43725**

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SUBJECT: No-show Policy

SECTION:

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EFFECTIVE DATE: January 1, 2009

REPLACES:

APPROVED BY: GCSCC Executive  
Board

APPROVAL DATE: February 12, 2009

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DIRECTIVE:

To assure that the service is operating in the most efficient manner by correcting the action by habitual avehicleers of service scheduling.

DEFINITIONS:

No-show – Any passenger who is unavailable for pick-up of a scheduled trip that has not notified GCSCC to cancel that trip. Trips in which passengers will not be picked up due to circumstances related to service will not be considered a no-show.

PROCEDURE:

The Driver will wait for passengers for 15 minutes beyond the scheduled pick-up time. Passengers who do not make themselves available within that window will be considered a no-show.

Scheduled trips are to be cancelled within one (1) hour prior to the time of the trip request. Any scheduled trip not cancelled within that window will be considered a no-show.

Exceptions may be made for passengers who are unduly delayed due to medical appointments or procedures. The passenger will be required to contact the Scheduler as soon as practicable following the missed trip and a new driver will be dispatched as soon as possible.

**Excessive No-shows**

Passengers who have three no-shows or late cancellations in 30 days will be sent a written warning. The written warning will state that two additional no-shows or late cancellations in the next 30 days may result in transportation privileges being suspended for up to 30 days.

Before any suspension, the potentially affected individual will receive written notice that transportation service will be suspended beginning 14 days from the date of notice. The individual will receive a copy of the appeals process that details passenger rights in this situation.

GCSCC will continue to serve passengers appealing pending suspensions until all appeals have been settled. For passengers who do not choose to appeal, suspensions will commence on the date specified in the written notice.

Passengers with trips resulting in a no-show will be subject to the following guidelines:

For Passengers who average 5 or more trips in a week (based on usage for previous 90 days):

- ✓ Five (5) no-shows in any consecutive 30 day period will result in a warning letter issued.
- ✓ Ten (10) no-shows in any consecutive 60 day period will result in suspension of service for 14 calendar days.
- ✓ Fifteen (15) no-shows in any consecutive 90 day period will result in suspension of service for an additional 30 calendar days.
- ✓ Sixteen (16) or more no-shows in any consecutive 120 day period will result in indefinite service suspension.

For Passengers who average less than 5 trips per week (based on usage for previous 90 days):

- ✓ Three (3) no-shows in any consecutive 30 day period will result in a warning letter issued.
- ✓ Six (6) no-shows in any consecutive 60 day period will result in suspension of service for 14 calendar days.
- ✓ Nine (9) no-shows in any consecutive 90 day period will result in suspension of service for an additional 30 calendar days.
- ✓ Ten (10) or more no-shows in any consecutive 120 day period will result in indefinite service suspension.

Suspensions will begin seven days after the date of notification.

Any passenger indefinitely suspended may be considered for reinstatement by following the *Appeal of Service Suspension* procedure.

Letters of suspension will contain instructions and materials necessary to challenge or appeal the suspension decision.

Subscription/Standing Order reservations may be denied upon a second suspension in any consecutive 12 month period. Privileges may be reinstated without guarantee of the original subscription/standing order.

No-show consequences will be communicated verbally and in writing by GCSCC to all passengers.

All written notifications will include a dispute form allowing the passenger an opportunity to give an explanation for the infraction.

All no-show results deemed to have occurred due to circumstances beyond the passenger control (i.e. service failure, medical delay, etc.) will be reversed and removed from consideration during analysis.

Any passenger has the right to file an *Appeal of Service Suspension* with GCSCC.

The Driver will make reasonable attempts to locate the passenger. If the passenger cannot be located within 15 minutes, the Driver must contact the Dispatcher with the no-show information.

The Dispatcher has the responsibility to determine if the driver is to continue without the passenger and/or if the emergency caregiver and/or emergency personnel should be notified.

Upon permission to continue without the passenger, the Driver is to record the arrival time, departure time and vehicle mileage on the Daily Manifest. The Driver will then place a "We Were Here" flyer on the residence door.

All no-show results will be recorded and analyzed by the GCSCC Transportation Supervisor/Department Manager as necessary.

#### RESPONSIBILITIES:

Responsibilities as defined above.

#### HABITUAL NO-SHOW PROCEDURE

Passengers who have no-shows equal to or greater than 25% of the scheduled trips in a thirty (30) day period will be provided a written warning. In order to be subject to a warning or suspension, a passenger must have booked a minimum of three (3) trips or more in a calendar month. Example: If a passenger books five (5) trips and no-shows 25% of the time, they will be in violation of the no-show policy and subject to the progressive corrective action plan.

A passenger will be subject to the progressive corrective action plan only if both the minimum number of trips booked and the minimum number of no-shows are reached during a calendar month. All suspension periods will begin on a Monday.

The length of a passenger's suspension will adhere to the progressive corrective action plan described as followed:

- First violation in a rolling 12-month period: Verbal Warning
- Second violation in a rolling 12-month period: Final Warning Letter
- Third violation in a rolling 12-month period: 7 days
- Fourth violation in a rolling 12-month period: 14 days
- Fifth violation in a rolling 12-month period: 21 days
- Sixth and subsequent violations in a rolling 12-month period: 30 days

All penalties imposed under this policy are first subject to an appeals process (see Suspension Appeals Process). Before any suspension, the potentially affected individual will receive written notice that transportation service will be suspended beginning fourteen (14) days from the date of notice. The individual will receive a copy of the appeals process that details passenger rights in this situation. The written notice of suspension will contain instructions and materials necessary to challenge or appeal the suspension decision.

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. will continue to serve passengers appealing pending suspensions until all appeals have been settled. For passengers who do not choose to appeal, suspensions will commence on the date specified in the written notice.

Subscription/Standing Order reservations may be denied upon a second suspension in any consecutive 12-month period. Privileges may be reinstated without guarantee of the original subscription/standing order.

## **Suspension Appeals Process**

A suspension may result from violations of passenger behavior rules, violation of the no-show policy, or for other inappropriate or disruptive behavior. Regardless of the reason for suspension, each passenger has a right to appeal the decision through an appeals process.

Appeals must be submitted in writing to Shon Gress, Executive Director, CEO, by mail at 1022 Carlisle Ave Cambridge, OH 43725, or by email at [sgress@guernseysenior.org](mailto:sgress@guernseysenior.org) within 14 days of notification of suspension. All passengers will be permitted to continue using service during the appeals process. GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. management will inform all schedulers/dispatchers that the suspension is pending an appeal and to allow service to continue for the affected passenger.

An Appeals Committee will review all applicable information from GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. and the involved passenger. All passengers will be offered the opportunity to speak directly with Committee members and/or the Transit Manager regarding the submitted appeal and/or circumstances that led the suspension and subsequent appeal.

After a thorough review of all available information and testimony, the Appeals Committee will have 72 hours in which to issue a recommendation to sustain or reverse the suspension. The Committee recommendation will be forwarded to the Transit Manager for final review and implementation.

The GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. administration will have three (3) days to issue a final suspension decision in writing to the passenger involved. All final decisions will be implemented within seven (7) days of passenger notification.

All communications will be made available in alternate format upon request.

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# *ADA/Title VI Complaint Form*

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## **Background**

This form is used for both Title VI and Americans with Disabilities Act (ADA) complaints.

The Civil Rights of 1964 (Title VI) identifies the three classes protected by Title VI—race, color, and national origin—and allow the complainant to select one or more of those protected classes as the basis/bases for discrimination. If any of the Limited English Proficient (LEP) populations in our service area meet the Safe Harbor threshold, then the procedure will be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold.

The Americans with Disabilities Act of 1990 (ADA), provides protection that no individual with a disability shall on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any federally funded program, service, or activity.

GUERNSEY COUNTY SENIOR CITIZENS CENTER, INC. is committed to providing non-discriminatory service to ensure that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of its services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964 (Title VI) as well as providing protection that no individual with a disability shall on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination as stated in the Americans with Disabilities Act of 1990 (ADA).

If you feel that you have been discriminated against, please provide the following necessary information to facilitate the processing of your complaint. If assistance is required to complete the form, or if you have questions, please do not hesitate to call the ADA/Title VI Coordinator at 740-439-6681. **Once completed, return a signed and dated copy to:**

**Shon Gress, Executive Director, CEO**  
**1022 Carlisle Ave Cambridge, OH 43725**

*Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please call 740-439-6681.*



Please check one of the following below:

**ADA Complaint** or  **Title VI Complaint**

**Part I.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Additional Formats Needed:

- None                       TDD  
 Large Print               Audio Tape  
 Other

**Part II.**

Are you filing this complaint on your own behalf?

- Yes – Proceed to Part III  
 No – Please provide the name of and your relationship with this person:

Name of Individual: \_\_\_\_\_

Your Relationship: \_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Confirm:

- I have obtained permission of the aggrieved party to file this form on his or her behalf.  
 I have not confirmed permission to file this form on behalf of the aggrieved party.

**Part III.**

I believe the discrimination I experienced was based on:

- Race  
 Color  
 National Origin  
 My Disability  
 Other: \_\_\_\_\_

Date of the alleged discrimination: \_\_\_\_\_

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses.

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**Part IV.**

Have you previously filed an ADA and/or Title VI complaint with this agency?

- Yes
- No

**Part V.**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

- Yes
- No

If yes, check all that apply:

- Federal Agency       Federal Court
- State Agency         State Court
- Local Agency

Please provide the contact information for a person at the agency or court where the complaint was filed:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**Part VI.**

Name of agency complaint is against: \_\_\_\_\_

Contact person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone number: \_\_\_\_\_

*Important Notice:* To protect your rights, your complaint must be filed within 180 days following the date of the alleged discrimination. Failure to file within 180 days may result in dismissal of the complaint. You may attach any additional written materials or other information that you think is relevant to your complaint to this form.

Signature and date required below.

\_\_\_\_\_  
Signature of Person Filing Complaint

\_\_\_\_\_  
Date