

Voluntary Action Center **Reasonable Modification Policy**

Purpose

The purpose of the reasonable modification policy is to offer equal and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of the American with Disabilities Act of 1990, Title II, and Section 504 of the Rehabilitation Act of 1973.

Policy

Voluntary Action Center (VAC) is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services, and activities. VAC recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modification to policies and procedures. VAC 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. VAC does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any program or activity. VAC will take appropriate steps to ensure that persons with disabilities, including persons who have hearing, vision, or speech impairments, have an equal opportunity to participate.

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the transit services, programs, or activities of, or be subject to discrimination by VAC. Nor shall VAC exclude or deny equal services, programs, or activities to an individual because of the known disability of an individual with whom the individual is known to have a relationship or association.

Reasonable Modifications

VAC will make reasonable modifications to policies, practices, and procedures when necessary to provide equal opportunity to qualified individuals with disabilities, unless making the modification would fundamentally alter. A reasonable modification is a change or exception to a policy, practice, or procedure that allows disabled individuals to have equal access to programs, services, and activities. A request is not considered a reasonable modification if it is:

1. A fundamental alteration to the nature of the program, service, or activity,
2. A direct threat to the health or safety of others,
3. A not needed by the requester to use the service, or
4. An undue financial / administrative burden.

Eligibility Criteria and Safety Requirements

An individual is eligible to be considered to receive a reasonable accommodation if that individual has a disability in the form of a physical or mental impairment that limits the

performance of one or more major life activities, has a record of impairment, or is regarded as having such impairment.

Requests for Reasonable Modification

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 paratransit context, requests can be made in conjunction with VAC's paratransit service eligibility process.

The VAC's process for public submittals of requests for reasonable modifications is as follows:

1. Requests should be as specific as possible and include information on why the requested modification is needed in order to allow the individual to use VAC's services.
2. Requests should be made in writing or by email, but the VAC will accept a request by phone if needed. Requests should be directed to the VAC Reasonable Modification Officer, 1606 Bethany Road Sycamore, IL 60178 or info@vacdk.com.
3. If a phone request is made and the VAC Associate Director of Transportation is unavailable, the request will be directed to a designee. Phone requests to VAC must be made during normal business days and hours of operations of VAC's administrative offices (currently Monday-Friday, 8:00 AM to 4:30 PM).
4. If VAC's administrative offices are not open and a reasonable modification request is needed, the requestor may contact the VAC's transportation dispatch offices. Currently these offices are as follows (but may be subject to change):
 - TransVAC/MedVAC – 1606 Bethany Road Sycamore, IL 60178
(Sycamore office) (815) 758-6641
 - TransVAC/MedVAC – 1406 Suydam Road Sandwich, IL 60548
(Sandwich office) (815) 786-9404
 - Kendall Area Transit – 109 W. Ridge Street Yorkville, IL 60560
(630) 882-6970
5. "On-the-spot" requests may be accepted for circumstances that may arise while utilizing VAC'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 requestor. The driver may make the determination or request a decision of a supervisor dependent upon the situation.
6. All requests/documentation shall be maintained in a designated file at VAC's offices for a minimum of three (3) years from date of request.

Request Denials and Appeals Process

If a request for reasonable modification is denied, the requester has the right to appeal the decision by following VAC's appeals procedures. VAC has a process for recording, investigating,

and tracking appeals from qualified individuals. This appeals process is managed by VAC's ADA Officer, who is appointed by the Board of Directors. The appeal forms are available at VAC offices, or on the VAC website at www.vacdk.com.

Any person who wishes to file an appeal regarding a request for Reasonable Modification that was denied may do so in writing via fax, email, or in person:

Voluntary Action Center
c/o ADA Officer
1606 Bethany Road
Sycamore, IL 60178
T: (815) 758-3932
F: (815) 758-0202

If more information is needed to evaluate the appeal, VAC may contact the person filing the appeal. If the information is not received within 30 days from the date of the original appeal, the appeal will be marked undetermined and closed.

The ADA Officer will issue a Letter of Finding or Letter of Closure.

The Letter of Finding will summarize the appeal, interviews conducted, and explain the actions to be taken by VAC to address the appeal.

The Letter of Closure will summarize the appeal, interviews conducted, and explain how VAC has determined that the appeal is not warranted and the appeal will be closed.

Refusal of Service and Nondiscrimination

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

The reasonable modification process and use information will be made readily available to the public. ADA-accessible formats will be provided upon request.