

## Reasonable Modifications Policy

**Reasonable:** fair and sensible; not extreme or excessive; possessing sound judgement.

**Modification:** the act or process of changing parts of something.

Reasonable modification means that “the nature of an individual’s disability cannot preclude a public transportation entity from providing full access to the entity’s service unless some exception applies.” SARTA will make reasonable modifications in policies, practices or procedures when such accommodations are necessary to avoid discrimination on the basis of disability unless the recipient can demonstrate that making the accommodation would fundamentally alter the nature of the service, program or activity or result in undue financial and administrative burden.

In determining whether to grant a requested modification, the Stark County Regional Transit Authority (SARTA) will be guided by the provisions of the United States Department of Transportation regulations and guidance provided in Appendix E of Title 49 CFR Part 37.

- » The reasonable modification policy applies to individuals who are disabled under the ADA.
- » SARTA has designated the following individual to be responsible for handling requests for modification and procedures pertaining to the appeals of such decisions:

**Director of Human Resources**  
**1600 Gateway Blvd SE Canton, OH 44707**  
**330-477-2782 • [adacomplaint@sartaonline.com](mailto:adacomplaint@sartaonline.com)**

- » Requests for reasonable modifications will be considered as follows:
- » A passenger requesting a reasonable modification will be required to describe what the passenger believes is needed in order to use SARTA’s transportation service(s). The passenger is not required to use the term “reasonable modification” when making a request. The request for modification can be for any of the transportation services provided by SARTA.
- » Whenever possible, the passenger should make requests for modification and allow SARTA an opportunity to determine whether the request will be granted in advance. Requests do not need to be in writing.
- » Requests made during the ADA eligibility process will have determinations processed along with the eligibility determinations within 21 days for new applicants and with the renewal determination for requests made during the recertification process.
- » Requests may be made by calling customer service at 330-477-2782 or by completing the Request for Reasonable Modification Form available for download on the website or by request. All requests will have a determination made by designated SARTA staff within 7 business days.
- » When requests for reasonable modification cannot be practicably made and determined in advance, a SARTA staff member will make a timely determination so long as such actions do not result in a direct threat or fundamental alteration of services.
- » If the request occurs at the time of service, a SARTA staff member may make a determination. Such determinations are made on a non-precedent setting basis based upon the facts and circumstances unique to that request.

- » Requests for modifications of policies and practices can be denied due to one or more of the following reasons:
  - » Granting the request would fundamentally alter the nature of the transportation services, programs or activities;
  - » Granting the request would create a direct threat to the health or safety of others;
  - » Without the requested modification, the passenger with a disability is able to fully use the services, programs or activities for their intended purpose;
  - » Request creates an undue financial and administrative burden.
- » If an initial request for modification is denied, SARTA will, to the fullest extent possible, take any other actions and/or find a suitable alternative to ensure that the passenger with a disability receives the services provided.
- » If a request for reasonable modification is denied, the passenger may file an appeal. SARTA has established a process for investigating and resolving appeals. *A form is available on our website or by request and includes the procedures by which SARTA processes and responds to appeals.*
- » Upon receipt, all appeals will be date-stamped and referenced to the Director of Human Resources for review and consideration. The Director of Human Resources may choose to:
  - » Affirm the determination;
  - » Reverse the determination;
  - » Authorize a specific trip request that was denied;
  - » Refer the appellant for in-person assessment by a consultant;
  - » Schedule the matter for a hearing; or
  - » Cancel or modify the provision of service.
- » Within 10 days after receipt of the appeal, a letter will be sent to the passenger that includes the following:
  - » Acknowledgement that the appeal has been received;
  - » The date by which a response will be sent to the passenger;
  - » Whom to contact if the passenger does not receive a response by that date; and
  - » If a hearing is requested by the passenger, the date, time and location of the hearing.
- » The designated staff member will investigate the appeal and respond with a decision in writing within a reasonable time, not to exceed 30 days from receipt of the appeal (or 30 days from the date of the hearing if one is requested).