

GoTriangle Is Committed to Making Reasonable Modifications/Accommodations for Passengers

GoTriangle reaffirms its commitment to upholding and ensuring that its policies and practices follow the rules concerning reasonable modification/accommodation outlined under the Americans with Disabilities Act (ADA) and all related statutes. As a public transit agency, GoTriangle will make reasonable modifications/accommodations to its policies, practices and procedures to ensure program accessibility.

Any person who believes he or she has not been provided reasonable accommodation under the law has a right to file a formal complaint. Any such complaint must be in writing and submitted to GoTriangle's Title VI/Civil Rights Coordinator within 180 days following the date of the alleged violation at: EEO/DBE Office, GoTriangle, P.O. Box 13787, Durham, NC 27709. Phone: (919) 485-7433, or sgoodwin@gotriangle.org.

Process for Making Reasonable Modification/Accommodation Requests

- (1) Individuals requesting modifications for fixed-route service shall call the Regional Call Center at (919) 485-7433 or the Operations Supervisor at (919) 485-7487 to describe what they need in order to use the service. For modification requests for the paratransit service, call (919) 485-7468 and select Option 3.
- (2) Individuals requesting modifications are not required to use the term "reasonable modification" when making a request.
- (3) Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service.
- (4) Where a request for modification cannot practically be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit or fixed-route trip of which the individual with a disability was unaware until arriving), operators shall make a determination of whether the modification may be provided at the time of the request consistent with Appendix E (<https://www.fta.dot.gov/civilrights/12325.html>) of the ADA Final Rule. Please note that the operator is required to notify the dispatch office before making a determination to grant or deny the request.

Exceptions for Denying Reasonable Modification/Accommodation Requests

Requests for modification of GoTriangle's policies and practices may be denied only for one or more of the following reasons:

- (1) Granting the request would fundamentally alter the nature of the GoTriangle's services, programs or activities.
- (2) Granting the request would create a direct threat to health or safety to others.

- (3) Without the requested modification, the individual with a disability is able to fully use the entity's services, programs or activities for their intended purposes.
- (4) In determining whether to grant a requested modification, GoTriangle shall be guided by the provisions of Appendix E to the ADA Final Rule (<https://www.fta.dot.gov/civilrights/12325.html>).
- (5) In any case in which GoTriangle denies a request for a reasonable modification, GoTriangle shall take, to the maximum extent possible, any other actions (that would not result in a direct threat or fundamental alteration) to ensure that the individual with a disability receives the services or benefit provided by GoTriangle.

Reasonable Modification/Accommodation Complaint Procedures

Reasonable modification/accommodation requirements are a fundamental tenet of disability nondiscrimination law and are an existing requirement for recipients of federal assistance – which are contained in the U.S. Department of Justice's (DOJ) ADA rules for public and private entities, the U.S. Department of Transportation's (DOT) ADA rules for passenger vessels and DOT rules under the Air Carrier Access Act. As a result, public entities providing designated public transportation (e.g., fixed-route, demand-responsive and ADA-complementary paratransit) service are required to provide reasonable modifications/accommodations to policies, practices and procedures to ensure program accessibility subject to several exceptions listed above this section. Any person who believes that he or she has been unlawfully denied a reasonable accommodation may file a written complaint with GoTriangle's EEO/DBE office. The complaint must be filed no later than one hundred and eighty (180) days after the alleged incident. The complainant may submit a written statement or complete the Title VI/Reasonable Modification Complaint Form on GoTriangle's website. The complaint should include the following information:

- The complainant's name, mailing address, telephone number, email address, etc.
- Describe how, when, where and why the complainant believes he or she was unlawfully denied a reasonable accommodation. Include the location, names and contact information of any witnesses.
- Include any additional information the complainant considers relevant to the complaint.

- The complainant's signature and date.

The complaint may be mailed, faxed or emailed to the following address:

Sylvester Goodwin, Title VI Coordinator
EEO/DBE Office
P.O. Box 13787
RTP, NC 27709
F: (919) 485-7491
sgoodwin@gotriangle.org

Once the complaint is received, the EEO/DBE office will review it to determine if it has jurisdiction. The complainant will receive an acknowledgment letter informing him/her whether the complaint will be investigated by this office. In the event the EEO/DBE office has jurisdiction, an investigation will begin within fifteen (15) working days of receipt of the complaint.

The EEO/DBE office will contact the complainant in writing no later than thirty (30) working days after receipt of the complaint for additional information, if needed, to investigate the complaint. If the complainant fails to provide the requested information within fifteen (15) days, the EEO/DBE office may administratively close the complaint. A case can also be administratively closed if the complainant no longer wishes to pursue the complaint. The EEO/DBE office will complete the investigation within ninety (90) days of receipt of the complaint.

A written investigation report will be prepared by the investigator. The report shall include a summary description of the incident, findings and recommendations.

The Chief Financial Officer (CFO)/Director of Administrative Services will review the report. After the CFO reviews the report, one of two letters will be issued to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Civil Rights violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member or other actions will occur. If the complainant wishes to appeal the decision, she/he has fifteen (15) days after the date of the closure letter or the LOF to do so.

A person may also file a complaint directly with the:

Federal Transit Administration
Office of Civil Rights
Attention: Title VI Program/Reasonable Modification Coordinator
1200 New Jersey Avenue, SE
Washington, DC 20590
P: (202) 366-4043

Title VI/Reasonable Modification Complaint

[Click here](#) to download the Title VI/Reasonable Modification Complaint Form in English.

[Click here](#) to download the Title VI/Reasonable Modification Complaint Form in Spanish.

GoTriangle will provide appropriate assistance to complainants who are limited in their ability to communicate in English. Spanish language assistance services are available free of charge.

A complainant may also file a complaint directly with the United States Department of Justice at:

<http://www.ada.gov/filingcomplaint.htm>