

Policy Statement

The Americans with Disabilities Act (Title II) states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs, services or activities sponsored by a public entity.” At West Central Mass Transit District (WCMTD), we are committed to complying with the requirements of Title II of the ADA in all of its programs, services, benefits and activities.

WCMTD provides safe and efficient transportation to the communities we serve. WCMTD provides door –to-door service for the frail, elderly, and persons with disabilities. Door-to-door means that drivers assist passengers from their homes and assist them back to the door in a safe and polite manor. All able-bodied passengers are given curb-to-curb service meaning they are picked up in front of their homes and delivered in front of their destinations unless door-to-door service is requested.

Training

WCMTD provides training for the safe operation of the vehicles, adaptive equipment, sensitivity and proper treatment of the frail, elderly, persons with disabilities, and the ADA regulations.

Public Information and Marketing

Communicate to the community by providing route information, brochures, and in presentations that explain how our services meet ADA requirements. Including the accessibility of WCMTD transportation. Policy and related forms are posted and available at all WCMTD offices as well as the WCMTD website, www.wcmt.org. ADA information will be made available at all public hearings and listening sessions.

Accessible Formats

WCMTD makes available to individuals with disabilities information concerning transportation services upon request. This information is made available through accessible formats and technology to enable users to obtain information and schedule service. The information in large print, audio, braille, English and Spanish. Brochures are available, at our offices in Morgan, Scott, Cass, Schuyler, Brown and Pike Counties. You can also request additional translations. Technology including interactive website and email are available.

Companions/Personal Assistants

Transit service also must be provided to a personal assistant (PA) traveling with an eligible rider. In addition to a personal care attendant, the regulations require that service be provided to one companion accompanying an eligible rider. Other persons accompanying the rider are to be accommodated on a "space available" basis. Persons are considered to be accompanying the

eligible rider if they are picked up and dropped off at the same locations as the eligible rider. Companions must be charged the same fare as the eligible rider and PCA's must ride free.

No Show Policy and Procedure

West Central Mass Transit District understands that customers may sometimes miss scheduled rides or forget to cancel rides they no longer need. West Central Mass Transit District also understands that customers may sometimes miss scheduled trips or be unable to cancel trips in a timely manner for reasons that are beyond their control. However repeatedly missing scheduled trips or failing to cancel trips in a timely manner can lead to suspension of service. The following defines West Central Mass Transit District's no-show policy:

West Central Mass Transit District has a five (5) minute waiting period. Passengers not boarding within 5 minutes of any reservation time will be considered a "no-show" and all remaining rides for the day will be cancelled.

Passengers who "no show" advance reservations will be charged a \$3.00 "no show" fee for in town; \$3.50 for out of town and \$7.50 for Springfield trips. No Show Fees for Same Day Reservations are \$4.00. Cancellations are accepted at any time up to 30 minutes prior to your scheduled pick-up in side of city limits and 60 minutes for pick-up locations outside of city limits.

The regulations permit transit providers to suspend transit service to those persons who establish a "pattern or practice" of missing scheduled rides ("no-show"). Service can be suspended for a "reasonable period of time". Allowances must be made for missed trips that are beyond the control of the individual. WCMTD makes every effort to work with passengers to understand their situation and avoid administrative action.

If a passenger no-shows scheduled reservations 3 times in a 30 day period a WCMTD representative will mail a letter indicating the number of no shows for the previous month. It will outline the West Central Mass Transit District No Show Policy explaining that failure to notify the transportation office prior to the service date to cancel transportation is considered a No Show. It will also indicate that after written notification if an individual receives 3 no shows in the subsequent 30-day period their transportation may be subject to cancellation and they may be required to pay a fare for the No Show trips. The supervisor will send the letter first class mail with a return receipt.

After the second month if there is no change in the passenger's behavior then they may be subject to suspension from service up to 30 days. WCMTD administration would determine penalties such as fare collection and/or length of suspension. Notification of this step must be sent by first class certified mail.

Before service can be suspended for cause under this provision, individuals must be provided with an opportunity to appeal the proposed suspension.

Respirators or Portable Oxygen

These types of devices are allowed on WCMTD vehicles and dispatchers will ensure adequate time for individuals with disabilities to board or disembark a vehicle.

Service Animals

WCMTD will permit service animals to accompany individuals with disabilities in vehicles and facilities.

Ramps and Steps

For safety reasons, drivers are not required to load a passenger in a mobility device if access to their home involves maneuvering the passenger up or down steps, unless the home is equipped with a ramp for easy mobility device access. If members of the passenger's family are available to transfer the passenger from their home to the vehicle, then the step limitation will not apply. Drivers are not required to transfer passengers from their home to the vehicle if the ramp is determined to be unsafe for normal maneuvers.

Seat Belt

It is the policy of WCMTD that all passengers must wear a seat belt. This includes any person using a mobility device for transportation seating. In the event that a passenger, including a person using a mobility device for transportation refuses to use the seat belt or refuses to be secured, per IDOT regulations and WCMTD policies, WCMTD will not be able to provide services to them and the customer will be asked to depart the bus at that time.

Securement Devices Procedure

Lift and Securement Use

Public and private entities providing transportation service must have a securement system for mobility devices. WCMTD will ask that mobility device users permit their mobility device to be secured, but may not deny service on the grounds that a mobility device cannot be secured at which time the customer will be asked to transfer to a seat for safety reasons. WCMTD will not require a mobility device user to transfer to a seat if their disability prevents them from safely transferring. If a passenger refuses to transfer to a seat when the safe securement of the mobility device is in question, the driver will record that the passenger has refused to transfer and the passenger will be asked to sign a form indicating that he/she understands the safety issues and has refused to transfer. Staff will provide assistance with lifts, ramps and securement systems. WCMTD will permit individuals with disabilities who do not use mobility devices to use the vehicle's lifts or ramp.

Lift Deployment

WCMTD will not refuse to permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions preclude the safe use of the stop by all passengers.

Lift Preventative Maintenance Policy

Daily inspections are completed during the driver's pre-trip inspection and recorded on a checklist. Vehicles are not put into service without properly operating lift equipment.

Accessibility Features

Vehicle operators and other personnel must make use of required accessibility-related equipment and features (tie-downs that should be used to secure a mobility device on the vehicle). In the event that a passenger, including a person using a mobility device for transportation refuses to use the seat belt or refuses to be secured, per IDOT regulations and WCMTD policies, WCMTD will not be able to provide services to them and the customer will be asked to depart the bus at that time.

Mobility Device

Wheeled devices for the carriage of a single individual, normally used as an assistive device for individuals who may have mobility challenges.

With respect to the size and weight of the mobility device, WCMTD will transport a mobility device and its user, as long as the lift can accommodate the size and weight of the mobility device, its user and there is space for the mobility device on the vehicle. However, WCMTD is not required to carry a mobility device if in fact the lift or vehicle is unable to accommodate the mobility device and its user, consistent with legitimate safety requirements.

Segway or other Power Driven Mobility Devices (OMPD) - WCMTD will accept such devices as long as the mobility device can be transported safely. If the passenger cannot be safely secured on the device with approved securements the passenger may be required to transfer to a seat.

Trip Denials or Missed Trips

Denial Definition - a trip denial depends on the mode of service the passenger is requesting.

WCMTD requires at least twenty-four (24) hour advance ride reservations. A denied ride is one in which service cannot be provided within one hour either way of the requested time made within the 24 hour advance requirement.

Same day services as per WCMTD's policy are available as the schedule permits. The inability to provide same day requests for service does not constitute a denied ride.

All denials are recorded by WCMTD

ADA Reasonable Modification

WCMTD may allow the reasonable modification of its policies to accommodate the special needs of persons with disabilities in order to allow them to fully utilize our services as required by 49 CFR Part 37.5(i.3). Whenever possible a request for a reasonable modification or accommodation shall be filed/requested in advance.

All requests for reasonable modifications will be resolved promptly and equitably.

The reasonable modification procedures and forms are found on page 9.

Circumstances Under, which Service Can be conditioned

In certain circumstances, it may be possible to mitigate the effects of a person's conduct by requiring that they meet certain conditions (e.g., use the service with an attendant). In other words, transit providers may place conditions on the use of service if they otherwise would have the right to refuse service.

For example, a rider with mental or developmental issues may have a tendency to move around the transit vehicle and harass other passengers. The behavior may be able to be controlled by the presence of an attendant. Because such conduct would be seriously disruptive to the service, the transit provider would have the right to refuse service.

If WCMTD proposes to impose sanctions on someone, the District will first notify the individual in writing (using accessible formats where necessary). The notice will specify the basis of the, proposed action (e.g., Mr. Smith scheduled trips for 8 a.m. on May 15, 2 p.m. on June 3, 9 a.m. on June 21, and 9:20 p.m. on July 10, and on each occasion the vehicle appeared at the scheduled time and Mr. Smith was nowhere to be found) and set forth the proposed sanction (e.g., Mr. Smith would not receive service for 15 days).

1. HR Manager
2. Executive Director
3. Board of Trustees

If the individual disagrees with the finding WCMTD would provide the individuals an opportunity to be heard as well as to present written and oral information and arguments through the appeal process. All relevant WCMTD records and personnel would be made available to the individual, and other persons could testify. It is likely that, in many cases, an important factual issue would be whether a missed trip was the responsibility of the provider or the passenger, and the testimony of other persons and the provider's records are likely to be relevant in deciding this issue. While the hearing is intended to be informal, the individual could bring a representative (e.g., someone from an advocacy organization, an attorney). The individual may waive the hearing and proceed on the basis of written presentations. If the individual does not respond to the notice within a reasonable time, WCMTD may make, in effect, a default finding and impose sanctions. If there is a hearing, and the individual needs transit service to attend the hearing, WCMTD must provide it and provide interpreters if needed.

WCMTD will notify the individual in writing about the decision, the reasons for it, and the sanctions imposed, if any. Again, this information would be made available in accessible formats.

Finally, it is important to note that service will continue to be provided by WCMTD throughout the process. The transit provider cannot suspend service while any part of the appeal process is pending.

Circumstances Under Which Service Can Be Refused

Public entities can refuse to provide fixed route or Para transit service to persons with disabilities if they engage in "violent, seriously disruptive, or illegal conduct. "This may include a person who assaults a driver or another passenger, who smokes or drinks on the vehicle in violation of established laws, or who engages in conduct that is so severe that the delivery of service is seriously disrupted.

Conduct which is related to a person's disability and which annoys or offends is not to be considered "seriously disruptive". The interpretive appendix to the regulation uses the example of a person with Tourette's syndrome who may make involuntary profane statements. Such behavior would not be grounds to refuse service. Similarly, service cannot be refused based on an unfounded fear of a particular disability. For example, a person with I-UV disease cannot be refused service because drivers or passengers are afraid of being near and being exposed to the condition. On the other hand, a person who refuses to use a seat belt and has a habit of not staying seated during transport could distract the driver and seriously disrupt service. Refusing service or requiring that the individual ride with an attendant might be appropriate in such a case. Similarly, customers are responsible for the behavior of service animals. Service can be refused or conditioned if a service animal is seriously disruptive.

In determining what constitutes "seriously disruptive" or "violent" behavior, WCMTD will rely on local ordinances, established laws and standards that define unacceptable public behavior.

Accurate and correct information about various disabilities and medical conditions is vital to ensuring that passengers are not subjected to discrimination. For example, it may be necessary to determine if a passenger's disability causes annoying behavior or if (s)he is prone to violence.

Consumer ADA Reasonable Modification Procedures and Modification Forms

Reasonable Modification Policy and Procedures:

West Central Mass Transit District is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services and activities, as provided by the Americans with Disability Act (ADA).

Individuals with disabilities may file complaints regarding reasonable modification or accommodation below by completing the online form at www.wcmttd.org or by contacting WCMTD Operations at the number above for Relay Illinois dial 711.

ADA transportation service complaints received by West Central Mass Transit District will be investigated immediately with every effort made to seek an appropriate and prompt resolution. By promptly identifying deficiency areas, West Central Mass Transit District will work to make the necessary corrections or adjustments to alleviate the situation.

Phone: 217-245-2900

Email: jklingler.wcmttd@gmail.com

Mail: WCMTD
Human Resources
ADA Compliance
1120 W Walnut
Jacksonville, IL 62650

Requests for reasonable modifications or accommodations will not be approved if the request would:

- fundamentally alter the nature of the service, program, or activity;
- create a direct threat to the health or safety of others;
- result in an undue financial and administrative burden;
- or the individual would still be able to fully use the services provided by WCMTD without the modification.

Consumer ADA Complaint Procedures

All ADA Transportation service complaints shall be submitted in writing on the agency's complaint form and returned either by mail or in person to:

Human Resources Manager
WCMTD ADA Compliance
1120 W Walnut
Jacksonville, IL 62650

217-245-2900
jklingler.wcmt@gmail.com
Office hours: 8:00 am – 2:30 pm

The following information is necessary to assist us in processing your complaint. If assistance is required in completing this form, please contact the Human Resources Manager of West Central Mass Transit District at (217) 245-2900. For Illinois Relay please dial 711. Once completed the form must be returned to West Central Mass Transit District to the attention of Human Resources Manager at 1120 W Walnut, Jacksonville, IL 62650.

The investigative officer shall maintain a log of ADA complaints received from this process. This log will include:

- The date the complaint was filed
- A summary of the allegations
- The status of the complaint, and
- Actions taken by WCMTD in response to the complaint

Should West Central Mass Transit District receive an ADA complaint in the form of a formal charge or lawsuit, the agency's attorney shall be responsible for the investigation and maintaining a log as described herein.

**West Central Mass Transit District
ADA Complaint Form**

Name: _____

Street Address: _____

Phone: _____ Alternate Phone: _____

Person discriminated against (if someone other than complainant):

Name(s): _____

Street Address, City, State & Zip Code: _____

Date of Incident: _____

Please describe the alleged incident (attach additional pages if needed):

Continued ADA Complaint Form

Have you filed a complaint with any other federal, state or local agencies? Yes No

If so, list agency / agencies and contact information below:

Agency: _____ Contact Person: _____

Street Address City, State, Zip Code _____

Agency: _____ Contact Person: _____

Street Address City, State, Zip Code _____

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainant's Signature _____ **Date** _____

Print or type name of complainant _____

For West Central Mass Transit District Use Only

Date Received: _____ Received By: _____

West Central Mass Transit District

West Central Mass Transit District is committed to providing safe, reliable, courteous, accessible and user-friendly services to its customers. To ensure equality and fairness, WCMTD is committed to making reasonable modifications to its policies, practices and procedures to avoid discrimination and ensure programs and services are accessible to individuals with disabilities. Complaints regarding ADA Policy can be made by using this form or contacting us by phone.

Preferred Contact Method (select one): Email Phone US Mail

First Name: _____

Last Name: _____

Address: _____

City: State: Zip Code: _____

Primary Telephone: _____

Email Address: _____

Briefly describe your ADA reasonable modification complaint in order to use the bus service:-

Please send this form via US Mail, email or deliver in person using the contact information below. You may attach any written materials or other information that you think is relevant to your complaint to this form.

WCMTD Human Resources Contact Information

US Mail

ATTN: Human Resources Manager
WCMTD
1120 W Walnut
Jacksonville, IL 62650

Phone

217-245-2900

Email

jklingler.wcmttd@gmail.com

Office hours: 8:00 am – 2:30 pm