



BAC Transportation Program Americans with Disabilities Act (ADA) Grievance Policy and Procedure

Purpose

The purpose of this grievance procedure is to provide each BAC Transportation Participant with the opportunity to review and discuss disputes or differences. The filing of a grievance by a Transportation Program Participant shall in no way affect the Participant's status with BAC.

Policy

Brevard Achievement Center (BAC) is committed to providing safe, reliable, efficient, and accessible service to its Transportation Program participants. BAC will make every attempt to accommodate the needs of its passengers, as outlined in its *Reasonable Modification for Passengers* policy (Attachment A).

Requests for reasonable workplace or facilities accommodations not related to transporting individuals with varying abilities are addressed in other policies, including, but limited to, those within applicable employee BAC handbooks and those titled "Assistive Technology Recommendations" and "A Primer on Family and Medical Leave Act."

Procedure

Under Title II of the ADA, state and local governments are required to make reasonable modifications to policies, practices and procedures where necessary to avoid discrimination. For riders who requested modification under BAC's *Reasonable Modification for Passengers* policy and were denied the requested modification, an ADA Grievance may be submitted for review.

Action Step One

The aggrieved Participant must present a grievance in writing to BAC within ten (10) calendar days after the date of the occurrence by completing the BAC Transportation Program ADA Grievance Form (Attachment B).

Grievances are submitted to the Human Resources Services Administrator. The Administrator will direct the Transportation Program Manager to investigate and report the findings to the Administrator. The grievance will be addressed in writing to the



aggrieved Participant within ten (10) calendar days after receipt of the grievance. Transportation services may not be reduced or terminated during the ten (10) calendar day period.

Action Step Two

If the Participant is not satisfied with the written response of the initial review, the Participant may then appeal the finding in writing within seven (7) calendar days to the Manager of Employment Transition Services (ETS) of BAC to request a review:
Manager, ETS
1845 Cogswell Street
Rockledge, FL 32955

The Manager will respond in writing to the aggrieved Participant within seven (7) calendar days of receipt of the review request. The response will include: a time and place for the review and assignment of one or more unbiased persons appointed to review the case. The Participant or their caregiver will be given the opportunity to present their argument(s), evidence and witnesses without interference during the review. If necessary, a contact person for any accommodations necessary under the Americans with Disabilities Act will be provided.

After the Manager of ETS hears the grievance, they will communicate their decision to the Participant/Caregiver. If the Manager deems the service requested to be unreasonable to perform or to repeat on a regular basis, he/she must cite specific reasoning to support the finding and inform the Participant or caregiver expeditiously in writing.

Action Step Three

Any eligible Participant who has followed the above grievance procedures established by BAC, and who still feels the issue is unresolved, may appeal any decision, in writing, to the Chair of the Board of Directors of BAC.

Grievance should be addressed and sent to:
Chair, BAC Board of Directors
1845 Cogswell Street
Rockledge, FL 32955



1845 Cogswell Street, Rockledge, FL 32955
office: 321.632.8610 | fax: 321.631.8207
bacemploy.com



A Complainant may also file a written complaint with the US Department of Transportation by contacting the Department at:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Revision History – ADA Grievance Procedure
Created April 29, 2024

Effective Date	Version #	Initiated By	Description
April 29, 2024	original	Susan McGrath	Compliance with FDOT grant requirements



1845 Cogswell Street, Rockledge, FL 32955
office: 321.632.8610 | fax: 321.631.8207
bacemploy.com

Attachment A



Reasonable Modification for Passengers

Purpose

To define the process for responding to requests for modifications by passengers in BAC Fleet vehicles.

Policy

Brevard Achievement Center (BAC) will make every attempt to accommodate the needs of its passengers. Requests for reasonable workplace or facilities accommodations not related to transporting individuals with varying abilities are addressed in other policies, including, but limited to, those within applicable employee BAC handbooks and those titled "Assistive Technology Recommendations" and "A Primer on Family and Medical Leave Act."

Procedure

If a passenger with a disability requires modification of any of Brevard Achievement Center's policies or practices to accommodate their disability to use the service, the passenger may request such a modification by contacting the vehicle operator or their manager, if the passenger is a current BAC employee. The operator or manager will confirm the need for the modification and forward the request to the Fleet Manager for review. The Fleet Manager, who can be reached at 321.632.8610, will work with the individual, operator or department manager to find an acceptable accommodation solution. The Fleet Manager will obtain review by the Safety Manager of any modification that may alter any safety aspects of a vehicle or require additional training or evaluation.

Where a request for modification cannot practicably be made and determined in advance, the operating personnel will decide whether the modification should be provided at the time of the request. Operating personnel may consult with the Fleet Manager before deciding to grant or deny the request.

Requests for modification of policies or practices may be denied only on one or more of the following grounds:

- Granting the request would fundamentally alter the nature of BAC's services, programs, or activities.
- Granting the request would create a direct threat to the health or safety of others.
- Without the requested modification, the individual with a disability is able to fully use the Center's services, programs, or activities for their intended purpose.

If BAC denies a request for a reasonable modification, to the maximum extent possible, other actions (that would not result in a direct threat or fundamental alteration of service) will be taken to ensure that the individual with a disability receives the services or benefit provided by BAC.

Effective Date	Version #	Initiated By	Description
2.22.2021	original	Susan McGrath	Compliance with FDOT grant requirements (JB)
6.3.2021	01	Susan McGrath	FDOT required addition of telephone number for Fleet Manager (JB)

Attachment B

BAC Transportation Program ADA Complaint / Grievance Form

Complainant: _____

Person Preparing Complaint (if different from Complainant): _____

Relationship to Complainant (if different from Complainant): _____

Street Address & Apt. No.: _____

City: _____ State: _____ Zip: _____

Phone: (____) _____ E-mail: _____

Please provide a complete description of the specific complaint or grievance:

Please specify any location(s) related to the complaint or grievance (if applicable):

Please state what you think should be done to resolve the complaint or grievance:

Please attach additional pages as needed.

Please do not contact me personally.

Signature: _____ Date: _____

Return to: Wendy Jones, Human Resources Administrator
BAC
1845 Cogswell Street
Rockledge, FL 32955

Upon request, reasonable accommodation will be provided in completing this form, or copies of the form will be provided in alternative formats. Contact BAC Human Resources Administrator Wendy Jones at address above or at (321)632-8610 (voice/TTY) or via email at wjones@bacemploy.com.