

TCRC, Inc. DBA We Care Reasonable Modification Policy and Request Form

Purpose

The purpose of the reasonable modification policy is to ensure that TCRC, Inc. DBA We Care offers equal and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of the Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

Policy

TCRC, Inc., DBA We Care is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services and activities. TCRC, Inc., DBA We Care recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modifications to policies and procedures. TCRC, Inc., DBA We Care 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. TCRC, Inc., DBA We Care does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. TCRC, Inc., DBA We Care will take appropriate steps to ensure that persons with disabilities 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 services, programs, or activities of TCRC, Inc., DBA We Care or be subject to discrimination by We Care.

Reasonable Modifications

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. TCRC, Inc., DBA We Care will make reasonable modifications to policies, practices and procedures when necessary to ensure access to transit services for qualified individuals with disabilities, unless:

- Making the accommodation would fundamentally alter the nature of the public transportation service.
- Making the accommodation would create a direct threat to the health or safety of other passengers.
- The individual with a disability is able to fully use TCRC, Inc., DBA We Care's service without the accommodation being made.

For the purposes of this section, the term reasonable accommodation shall be interpreted in a manner consistent with the term "reasonable modifications" as set forth in the Americans with Disabilities Act Title II regulations at 28 CFR 35.130(b)(7), and not as it is defined or interpreted for the purposes of employment discrimination under Title I of the ADA (42 U.S.C. 12111–12112) and its implementing regulations at 29 CFR part 1630.

Eligibility Criteria

An individual is eligible to be considered to receive a reasonable modification if that individual has: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or been regarded as having such impairment.

Requests for Reasonable Modifications

TCRC, Inc., DBA We Care shall make information about how to contact TCRC, Inc., DBA We Care to make requests for reasonable modifications readily available to the public through its website and rider policy guidelines. TCRC, Inc., DBA We Care shall follow these procedures in taking requests:

Individuals requesting modifications shall describe what they need in order to use the service.

Individuals requesting modifications are not required to use the term “reasonable modification” when making a request. Personnel at TCRC, Inc., DBA We Care will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.

Whenever feasible, TCRC, Inc., DBA We Care requests that individuals make such requests for modifications before TCRC, Inc., DBA We Care is expected to provide the modified service.

Where a request for modification cannot practicably be made and determined in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with TCRC, Inc., DBA We Care’s management before making a determination to grant or deny the request.

Requests for accommodation may be made either orally or in writing. The reasonable accommodation process begins as soon as the request for accommodation is made.

The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

Interactive Process

When a request for accommodation is made, TCRC, Inc., DBA We Care and the individual requesting an accommodation must engage in a good faith interactive process to determine what, if any accommodation shall be provided. The individual and TCRC, Inc., DBA We Care must communicate with each other about the request, the process for determining whether an accommodation will be provided, and the potential accommodations. Communication is a priority throughout the entire process.

Time Frame for Processing Requests and Providing Reasonable Modification

TCRC, Inc., DBA We Care will process requests for reasonable accommodation and then provide accommodations, where appropriate, in as short a time frame as reasonably possible. TCRC, Inc., DBA We Care recognizes, however, that the time necessary to process a request will depend on the

nature of the accommodation(s) requested and whether it is necessary to obtain supporting information.

Granting a Reasonable Modification Request

As soon as TCRC, Inc., DBA We Care determines that a reasonable accommodation will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, TCRC, Inc., DBA We Care shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

Denying a Reasonable Modification Request

As soon as TCRC, Inc., DBA We Care determines that a request for reasonable accommodation will be denied, TCRC, Inc., DBA We Care will communicate the basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

the specific reasons for the denial;

any alternative accommodation that may create the same access to transit services as requested by the individual; and

the opportunity to file an appeal relative to We Care's decision on the request.

Appeals Process

TCRC, Inc., DBA We Care will post the Appeals form on TCRC, Inc., DBA We Care's website and will be provided to any individual where TCRC, Inc., DBA We Care has denied a request for accommodation. The process and any forms necessary to file an appeal are readily available from www.wecareofmorton.com. Alternative means of filing appeals, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

Any person who believes she or he has been discriminated against in obtaining a reasonable modification may file an appeal by completing and submitting TCRC, Inc., DBA We Care's Reasonable Modification Appeals Form. TCRC, Inc., DBA We Care investigates appeals received no more than 30 days after receipt. TCRC, Inc., DBA We Care will process appeals that are complete. Once the appeal is received, the person will receive an acknowledgement of receipt. If more information is needed to resolve the appeal, TCRC, Inc., DBA We Care may contact the person. The person has 30 business days from the date of the letter to send requested information to TCRC, Inc., DBA We Care.

If TCRC, Inc., DBA We Care is not contacted by the person or does not receive the additional information within 30 business days, TCRC, Inc., DBA We Care may administratively close the appeal. In addition, an appeal may be administratively closed if the person no longer wishes to pursue their case.

After TCRC, Inc., DBA We Care investigates the appeal, a decision will be rendered in writing to the person. TCRC, Inc., DBA We Care will issue either a Letter of Closure or Letter of Finding.

Letter of Finding – This letter will summarize the appeal, any interviews conducted regarding the appeal, and explains what actions will be taken by TCRC, Inc., DBA We Care to address the appeal.

Letter of Closure – This letter will explain why TCRC, Inc., DBA We Care has determined that the appeal does not merit accommodation under the Americans with Disabilities Act and that the appeal will be closed.

If the person disagrees with the decision of TCRC, Inc., DBA We Care, an opportunity to appeal the decision may be pursued provided the appeal files notice of appeal within 21 days of the initial decision of TCRC, Inc., DBA We Care.

In the event of appeal, the person will be granted all due process, including the ability to present additional evidence, present the case in person during an appeal hearing, and to be represented by counsel.

Designated Employee

TCRC, Inc., DBA We Care shall designate one official within the organization responsible for processing reasonable modification requests and handling appeals. This individual is:

ADA Officer – Human Resources
TCRC, Inc., DBA We Care
33 S. 4th St.
Pekin, IL 61455
(309) 347-7148
info@tcrorg.com

Record Retention

Documentation of each appeal will be kept on file per FTA guidelines: maintain all appeals of noncompliance with 49 CFR Part 27 for one year, and a record of all such appeals, which may be in summary form, for five years.

TCRC, Inc., DBA We Care

ADA Reasonable Modification Request Form

Requests for modifications to the policies, practices, or procedures of TCRC, Inc., DBA We Care in order to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Whenever feasible, requests for reasonable modifications shall be made and determined in advance. A reasonable modification related to the ADA Paratransit is ***a change or exception to a policy, practice, or procedure that allows people with disabilities to have equal access to transportation***. Fill out this form with details about your modification request and how it relates to your disability.

Modification Request By: _____ Date: _____

Address: _____ Phone: _____

Modification for (Name) _____ Date of Trip: _____

Describe the modification request for ADA demand response transportation including why the modification is necessary:

Signature of ADA Passenger or Guardian

Date

Once completed, please mail or email this form to:

TCRC, Inc., DBA We Care

ATTN: Reasonable Modification

33 S. 4th St.

Pekin, IL 61554

Email: info@tcrorg.com

To request a modification by phone, please call the following number: (309) 347-7148

Requests for reasonable modifications may be denied on the following grounds:

1. It is a fundamental alteration to the nature of the program, service, or activity,
2. It is a direct threat to the health or safety of others,
3. It is not a requirement by the requester to use the service, or
4. The modification creates an undue financial / administrative burden.

TCRC, Inc., DBA We Care will strive to acknowledge and approve or deny requests within three (3) business days of receipt. All riders who are denied a request have the ability to appeal. For a copy of our Appeals Form and the complete Reasonable Modification Policy, please visit www.tcrcorg.com or www.wecareofmorton.com.

All information is kept confidential. All materials are available in accessible format and in languages other than English upon request.