

Reasonable Modification Policy

No 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 New Horizons Disability Empowerment Center (NHDEC), or be subject to discrimination by New Horizons Disability Empowerment Center (NHDEC).

A reasonable modification is a change or exception to a policy, practice, or procedure that allows persons with disabilities to have equal access to programs, services, and activities. **New Horizons Disability Empowerment Center (NHDEC) will make reasonable modifications to policies, practices, and procedures when necessary to ensure access to transit services for 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 New Horizons Disability Empowerment Center (NHDEC)'s service without the accommodation being made.
- ◆ Making the accommodation creates an undue financial burden on the transit system.

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 has been regarded as having such impairment.

REQUESTS FOR REASONABLE MODIFICATION

New Horizons Disability Empowerment Center (NHDEC) shall follow these procedures in taking requests:

- a. Individuals requesting modifications shall describe the modification to service needed in order to use the service.
- b. Individuals requesting modifications are not required to use the term "reasonable modification" when making a request. Personnel at New Horizons Disability Empowerment Center (NHDEC) will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- c. Whenever feasible, New Horizons Disability Empowerment Center (NHDEC) requests that individuals make such requests for modifications before New Horizons Disability Empowerment Center (NHDEC) is expected to provide the modified service.

- d. 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 New Horizons Disability Empowerment Center (NHDEC)'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, New Horizons Disability Empowerment Center (NHDEC) 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 the New Horizons Disability Empowerment Center (NHDEC) 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 TO PROVIDE REASONABLE MODIFICATION

New Horizons Disability Empowerment Center (NHDEC) will process requests for reasonable accommodation and then provide accommodations, where appropriate, in as short a time frame as reasonably possible. New Horizons Disability Empowerment Center (NHDEC) 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 New Horizons Disability Empowerment Center (NHDEC) 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, New Horizons Disability Empowerment Center (NHDEC) 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.

DENIAL OF REASONABLE MODIFICATION REQUEST

As soon as New Horizons Disability Empowerment Center (NHDEC) determines that a request for reasonable accommodation will be denied, New Horizons Disability Empowerment Center (NHDEC) 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 a complaint relative to the New Horizons Disability Empowerment Center (NHDEC)'s decision on the request.