

Squaxin Island Tribe

ADA Policy

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. (PL101-336) The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service.

It is the policy of Squaxin Transit that, when viewed in their entirety, services, programs, facilities, and communications provided by Squaxin Transit are readily accessible and usable to individuals with disabilities to the maximum extent possible in order to meet the equivalent service standard of the ADA. (49. CFR 37.105)

1. Fare

Squaxin Transit is a free service provided to the general public.

2. Holiday Closures

Squaxin Transit does not operate on the following nationally recognized holidays: Martin Luther King Jr. Day, President's Day (observed), Memorial Day (observed), Fourth of July, Labor Day, Veterans Day, Thanksgiving, the day after (Friday), Christmas Eve thru New Years Day.

3. Approved Equipment

In order to accommodate your wheelchair or power scooter on a Squaxin Transit vehicle it must meet the following standards:

- The equipment must have 3 or more wheels.
- The equipment must not exceed the manufactures lift limits.
- Walkers must be collapsible and stored between seats.
- Equipment must be in good working order, with batteries charged, tires inflated, footrests attached, and all parts secure. (49 CFR 37.3)
- Segway, motorized personal transportation devices, are allowed on Squaxin Transit when used as a mobility device by a person with a disability

4. Mobility Device Brakes

When occupying a lift or securement area, it is recommended that passengers apply the brakes on their mobility devices; however, they are not required to do so. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position. Again, this is not mandatory.

- 5. Portable Oxygen Use** Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

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6. Securement Policy

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. Squaxin Transit cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. (49 CFR 37.165)

7. Stop Announcements

Drivers will announce fixed route stops, available transfers, and will announce special stops by request. (49 CFR 37.167 (a-c))

8. Personal Care Attendants

A PCA is someone who travels with, and helps, a rider who is not able to travel alone. You must provide your own PCA if you need one.

9. Service Animals

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability. Service Animals are permitted to accompany individuals with disabilities. However, to ride Squaxin Transit:

- The animal must be on a leash, tethered or harnessed unless these devices interfere with the service animal's work or the person's disability prevents use of these devices.
- The animal must remain under control of the owner, and behave appropriately.
- Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.
- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))

10. Boarding Assistance

Operators shall position the bus to make boarding and de-boarding as easy as possible for everyone, minimize the slope of the ramp, and use the kneeling option as needed. Bus operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

11. Maintenance of Lifts or Ramps

Bus operators must test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to dispatch. A vehicle with an inoperable lift or ramp must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift or ramp failure, a replacement vehicle must be dispatched if the next trip to the destination of any passenger using a mobility device is scheduled in more than 30

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minutes. If the next trip to the destination of any passenger using a mobility device is scheduled in 30 minutes or less, a replacement vehicle may be dispatched if available. (49.CFR 37.163)

12. Priority Seating

Upon request, bus operators shall ask – but not require – passengers to yield priority seating at the front of the bus to seniors and persons with disabilities. Drivers are not required to enforce the priority seating designation beyond making such a request.

13. Reserved Seating

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus. Bus operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand.

14. Suspension of Service

A rider's privileges may be suspended for any of the following infractions on any Squaxin Transit property, including vehicles, bus stops, or stations:

- Smoking or carrying a lit pipe, cigar, or cigarette (unless in a designated smoking area).
- Discarding or dumping litter in places other than the recognized receptacles.
- Consuming alcoholic beverages or in possession of alcoholic beverages.
- Loud, raucous, unruly, harmful, or harassing behavior.
- Engaging in unlawful transit conduct as defined in RCW 9.91.025.

15. Notification of Policy

Squaxin Transit will notify the public of the ADA policy on the website and in the schedule.

16. Reasonable Modification

Requests for modifications of Squaxin Transit policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Squaxin Transit is best able to address and accommodate a request when customers make their requests before the trip. Contact Squaxin Transit office for questions.

17. Direct Threat

If a person is violent, seriously disruptive, or engaging in illegal conduct Squaxin Transit may, consistent with established procedures for all riders, refuse to carry the passenger. A person who poses a significant risk to others may be excluded [from service] if reasonable modifications to the public accommodation's policies, practices, or procedures will not eliminate that risk. (49CFR 37.5 App. D/ 29 CFR 36.208)

Behaviors that may cause immediate exclusion from the system include:

- Destruction of public property (the vehicle, and/or its furnishings)
- Doing violence to others or to oneself

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- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violations of service animal policy by failing to control one's service animal
- Violations of operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct.
- Other conduct judged by Squaxin Transit to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers excluded from the system due to a direct threat have the ability to request an administrative appeal by contacting Squaxin Transit at 360-426-9781.

18. Complaint Process

The process and any forms necessary to file a complaint are readily available from the website. Alternative means of filing complaints, such as personal interviews, phone calls, or taped request, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

Any person who believes he/she has been discriminated may file a complaint by completing and submitting a Squaxin Transit ADA Compliant Form. Squaxin Transit will process completed complaints.

- Once the complaint is received, the complainant will receive acknowledgement of receipt.
- If more information is needed to resolve the complaint, Squaxin Transit may contact the complainant. The complainant has thirty (30) business days, from the date of the letter, to send requested information to Squaxin Transit.
- If Squaxin Transit is not contacted by the complainant or does not receive the additional information within 30 business days, Squaxin Transit may administratively close the complaint. In addition, a complaint may be administratively closed if the complainant no longer wishes to pursue their case.
- After Squaxin Transit investigates the complaint, a decision will be submitted in writing to the complainant. Squaxin Transit will issue either a Letter of Closure or Letter of Finding.
 - *Letter of Finding* – This letter will summarize the complaint any interviews conducted regarding the complaint, and explains what actions will be taken by Squaxin Transit to address the complaint.
 - *Letter of Closure* – This letter will explain why Squaxin Transit has determined that the complaint does not merit accommodations under the American with Disabilities Act and that the complaint will be closed.

If the complainant disagrees with the decision of Squaxin Transit, an opportunity to appeal the decision may be pursued provided the complaint files notice of appeal within twenty one (21) days of the initial decision of Squaxin Transit.

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In the event of appeal, the complainant 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

Squaxin Transit shall designate one official within the organization responsible for processing reasonable modification requests and handling complaints. This individual is:

Monica Nerney
Squaxin Transit
10 SE Squaxin Lane
Shelton, WA 98584
360-432-3966
mnerney@squaxin.us



**SQUAXIN TRANSIT AMERICANS WITH DISABILITIES ACT (ADA)
COMPLAINT FORM**
Attachment A

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. (PL101-336). The ADA is civil rights legislation, which requires that persons with disabilities receive transportation services equal to those available on the fixed route service. Squaxin Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services based on disability as referenced in section 12.7 of FTA Circular 4710.1. If you believe you have been subjected to discrimination under ADA, you may file a complaint by completing this form and submitting it to the Squaxin Island Tribe, Title VI/ADA Coordinator, 10 SE Squaxin Lane, Shelton, WA 98584.

Section I:		
Name:		
Address:		
Telephone (Home):		Telephone (Work):
Electronic Mail Address:		
Accessible Format Requirements?	Large Print Audio Tape	Other
	TDD	
Section II:		
Are you filing this complaint on your own behalf?	Yes* *If you answered "yes" to this question, go to Section III.	No
If not, please supply the name and relationship of the person for whom you are complaining:		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes No
Section III:		
I believe the discrimination I experienced was based on disability		
Date of Alleged Discrimination (Month, Day, Year):		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form or attach another sheet of paper.		



**SQUAXIN TRANSIT AMERICANS WITH DISABILITIES ACT (ADA)
COMPLAINT FORM**
Attachment A

Section IV		
Have you previously filed a ADA complaint with this agency?	Yes	No

Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply: <input type="checkbox"/> Federal Agency: <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency		
Please provide information about a contact person at the agency/court where the complaint was filed. Name:		
Title:		
Agency:		
Address:		
Telephone:		
Section VI		
Name of agency complaint is against:	Squaxin Transit	
Contact person:	Monica Nerney	
Title:	Title VI/ADA Coordinator	
Telephone number:	(360) 426-9781	

You may attach any written materials or other information that you think is relevant to your
complaint.

Signature and date are required below.

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Squaxin Island Tribe Title VI/ADA Coordinator
10 SE Squaxin Lane
Shelton, WA 98584