



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT REASONABLE MODIFICATION AND ADA VIOLATION

Compliant Appeals Process

BART is committed to ensuring that the District complies with the Americans with Disabilities Act (ADA), including 49 CFR Parts 27 and 37. Transportation entities are required to make reasonable modifications/accommodations to policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities.

To ensure that the process is accessible to everyone BART will provide assistance upon request.

Requests may be denied, or alternative modifications, accommodations, or options may be provided. Requests may be denied on one or more of the following grounds:

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

Any person who wishes to file a complaint regarding a request for Reasonable Modification or alleging any action by BART prohibited by the Americans with Disabilities Act (ADA) regulations found at 49 CFR Parts 27, 37, 38, and 39, may file a written complaint with the San Francisco Bay Area Rapid Transit District (BART).

Reasonable Modification Request and ADA Violation Complaint Procedure

1. To file a complaint, the attached complaint Form should be completed and submitted.
2. All complaints must be submitted in writing. If the complainant is unable to write because of a disability and needs assistance in completing the form, BART staff will assist by taking the complaint by phone. If requested by complainant, BART will provide a language or sign interpreter or another accessible format. Please call BART's Customer Service at, (510) 464-6000, Mondays through Fridays from 8:00 am to 6:00 pm or by email, Customer Access and Accessibility Department (accessibility@bart.gov).
3. BART will begin an investigation within fifteen (15) working days of receipt of a written complaint.
4. BART will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If the complainant fails to provide the requested information in a timely basis, BART may administratively close the complaint.
5. BART will complete the investigation within ninety (90) days of receipt of the complaint. If additional time for investigation is needed, the complainant will be contacted.



**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
REASONABLE MODIFICATION AND ADA VIOLATION**

6. A written response will be prepared by the Customer Access & Accessibility Director, which will include a summary of the findings and recommended action. The complainant will have fifteen (15) weekdays from receipt of the response to appeal. If no appeal is received, the complaint will be closed.



**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
REASONABLE MODIFICATION AND ADA VIOLATION**

Complaint Appeals Form

A complainant, who is not satisfied with BART’s response to a complaint regarding a request for reasonable modification or alleging any BART action prohibited by the Americans with Disabilities Act (ADA) regulations found at 49 CFR Parts 27, 37, 38 and 39, has the right to appeal. Information about how to submit an appeal via US mail will be included in the response to the complaint. If an appeal is requested, an appeal panel consisting of three members will be convened to review the information and hear the appeal. The appeal date and time will be established based on the availability of the 3-member panel and within calendar 21 days of the date of the appeals request. After meeting with the person making the appeal, the panel will meet and make a decision based on information from the appellant.

To file a complaint regarding a request for reasonable modification or alleging any action by BART prohibited by the Americans with Disabilities Act (ADA) regulations found at 49 CFR Part 27, 37, 38, and 49, please provide in writing the following information and submit it to:

**Director of Customer Access and Accessibility
San Francisco Bay Area Rapid Transit District (BART)
PO Box 12688
Oakland, CA 94604-2688**

If the complainant is unable to write because of a disability and needs assistance in completing the form, BART staff will assist by taking the complaint by phone. If requested by complainant, BART will provide a language or sign interpreter or another accessible format. Please contact BART’s Customer Service Department, (510) 464-6000 or email, Customer Access and Accessibility Department (accessibility@bart.gov) to request assistance.

Full Name:		Telephone Number: () -	
Street Address:			
City:	State:	Zip:	e-mail Address:



**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
REASONABLE MODIFICATION AND ADA VIOLATION**

Describe your complaint and what modification/s you requested that is necessary for using BART. Please include any information about the issue you are trying to remedy. Be specific. For additional space, attach additional sheets of paper.

Signature: _____

Date: _____