

**Easter Seals Florida, Inc. (ESF)
Transportation**

**Americans with Disabilities Act (ADA) of 1990
Protocols and Procedures**

Revised: 1/2025

Purpose: This protocol is written to establish operating and service guidelines and procedures for the implementation of the requirements of the Americans with Disabilities Act (ADA) of 1990; the U.S. Department of Transportation (U.S. DOT) regulations for implementing ADA as included in 49 Code of Federal Regulations (CFR) Parts 27, 37 and 38; the Florida Department of Transportation (FDOT) *State Management Plan*; and applicable state laws and regulations.

The purpose of this protocol is to ensure all Easter Seals Florida, Inc. (ESF) personnel are aware of and comply with certain statutory requirements regarding the transportation and assistance for persons with disabilities.

Protocol Statement: It is the protocol of ESF to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. The agency provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by agency employees will not be condoned or tolerated.

Procedures:

Recruitment and Employment: As stated in the agency's personnel policies, the agency is an Equal Opportunity Employer and fully complies with ADA in its recruitment, hiring, and continued employment practices.

Maintenance of Accessible Features: Accessibility features on vehicles including lifts, ramps, wheelchair securement devices, signage, and communication devices will be maintained in operative condition. The preventive maintenance program of ESF provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers.

Inoperative Lifts and Ramps: Drivers are required to report lift or ramp failures immediately. Vehicles with inoperative lifts will be removed from service and replaced with an accessible vehicle until the inoperative lift is repaired. All vehicles with accessible features shall be repaired promptly.

Wheelchair Accommodation: All accessible vehicles meet or exceed the requirements of 49 CFR Part 38. Agencies are required to carry a wheelchair and its user, so long as the lift can accommodate the size and weight of the wheelchair and its user and there is space in the securement area for the wheelchair on the vehicle without blocking the aisle. If a vehicle

lift/ramp and securement area can accommodate a mobility device, ESF will transport the device and its user.

An individual who uses a wheelchair that, when occupied, exceeds the weight rating of the vehicle lift/ramp, will be offered the opportunity to board and disembark from the vehicle separately from the wheelchair. However, agency personnel are not required to operate a passenger's wheelchair.

Boarding and Disembarking: Drivers and schedulers will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary and waiting for passengers to be seated before moving the vehicle.

The driver is required to assist individuals with disabilities with boarding and alighting, as only a properly trained agency employee can operate the lift or ramp. Passengers may refuse assistance with boarding or disembarking. Passengers may board or disembark facing toward or away from the vehicle.

Wheelchair Securement: ESF requires that all wheelchairs be secured in a designated space in the vehicle. The driver is required to assist individuals with disabilities with securing the wheelchair, as only a properly trained agency employee can secure the wheelchair in the securement area.

A wheelchair user cannot be denied passage even if the mobility aid cannot be satisfactorily secured or restrained; however, the driver will still attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride in the vehicle. A driver may suggest that the wheelchair user transfer to a seat if the wheelchair cannot be secured. Drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service.

Seat belts and shoulder harnesses are required for all passengers. Seat belts will never be used instead of independent securement of the passenger's wheelchair.

Driver Assistance: Drivers will make themselves available to assist individuals with disabilities. Drivers will make full use of all vehicle features that assist persons with disabilities. Drivers will assist a passenger with using the accessibility-related equipment and features on the vehicle including the ramp, lift, and/or securement systems.

Use of Lift or Ramp by Individuals with Disabilities Not Using a Mobility Device: The driver will deploy the lift or ramp for an individual with a disability who is not using a mobility device to board or alight the vehicle upon request.

Accommodation of Other Mobility Devices: Mobility devices that are not wheelchairs, but which are primarily designed to for use by individuals with mobility impairments, will be accommodated to the extent that the ADA-compliant lift or ramp and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured

in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

Transfer to Fixed Seating: All passengers using wheelchairs have an option of transferring to fixed seating once on board the vehicle. Drivers may recommend, but never require, wheelchair users to transfer to fixed seating. No waivers are allowed to be required.

Priority Seating: With the exception of the wheelchair securement stations, the agency does not require any passenger to sit in designated seating. The driver will ask any person sitting in a seat designated for use by elderly or handicapped to move to another seat to allow proper seating or securing of persons with disabilities. If the person refuses to move upon request, the driver must notify a supervisor.

Accommodation of Portable Oxygen: Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. DOT rules on the transportation of hazardous materials in 49 CFR Subtitle B, Chapter 1, Subchapter C.

Service Animals: In compliance with 49 CFR Part 37, the agency allows service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal but may ask what tasks the animal has been trained to perform.

Any animal not under the passenger's verbal or physical control or which becomes a direct threat to the health or safety of other passengers may be restricted from riding.

Staff Training: All drivers are trained to proficiency in use of accessibility equipment, the operating protocols related to each of the service requirement described, and in properly and respectfully assisting and treating individuals with disabilities with sensitivity. **See Appendix A for ADA Training For Drivers.**

Rider Information: All printed informational materials are made available in accessible formats upon request. For example, large print for individuals with low vision or audio for blind individuals, as well as accessible electronic formats. All personnel shall assist any person with disabilities who requests information about a route, schedule, or other transportation information.

Reasonable Modification: All personnel will make reasonable modifications to policies, practices, and procedures to ensure that programs are accessible to individuals with disabilities per the U.S. DOT issued Final Rule on "Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices."

Where a request for modification cannot practicably be made and determined in advance, operating personnel will make a determination of whether the modification should be provided at the time of the request. Personnel may consult with ESF management before making a determination to grant or deny the request.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the Transportation Supervisor or Center Director and promptly and objectively investigated. ESF will promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant. The response will be documented. Corrective or disciplinary action will be taken for behavior prohibited by this protocol, up to and including termination of employment. **See Appendix B for Notification to the Public and the Complaint Form.** Documentation of each complaint will be kept on file for one year, and a summary record of all complaints will be kept for five years.

APPENDIX A - Training

Driver Training

Section – American Disabilities Act (ADA)

Training Topic	Training Platform	Upon Hire	Annually
Disability Etiquette for Transit Operators	transportationlearning.org	✓	
ADA Driver Training	National RTAP	✓	
Wheelchair Securement and Lifts	National RTAP	✓	
Q-Straint / Sur Lok Wheelchair Securement	National RTAP	✓	
Passenger Safety	National RTAP	✓	
2 the Point Training			
➤ ADA & Sensitivity	National RTAP		✓
➤ Transporting Non-Ambulatory Passengers	National RTAP		✓
➤ Passenger Safety	National RTAP		✓
Wheelchair Lift Operations, including manually.	Hands-On – on vehicle	✓	✓

APPENDIX B

Notifying the Public of Rights Easter Seals Florida

Easter Seals Florida operates programs and services without regard to race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with Easter Seals Florida.

For more information on the Easter Seals Florida civil rights program and the procedures to file a complaint, contact Rob Porcaro at (561) 422-9568 ext. 19529 or rporcaro@fl.easterseals.com.

Notificación al público de derechos Easter Seals Florida

Easter Seals Florida opera programas y servicios sin distinción de raza, sexo, color, nacionalidad, discapacidad, religión, edad, orientación sexual o condición de padre. Cualquier persona que crea que él o ella ha sido agravado por alguna práctica discriminatoria ilegal puede presentar una queja ante Easter Seals Florida.

Para obtener más información sobre el programa de derechos civiles de Easter Seals Florida y los procedimientos para presentar una queja, comuníquese con Rob Porcaro al (561) 422-9568 ext. 19529 o rporcaro@fl.easterseals.com.

Notifye piblik la sou Dwa Pak Seals Florid

Pak Seals Florid opere pwogram ak sèvis san konsiderasyon ras, sèks, koulè, orijin nasyonal, andikap, relijyon, laj, oryantasyon seksyèl, oswa estati kòm yon paran. Nenpòt moun ki kwè ke li oswa li te ajite pa nenpòt pratik diskriminatwa ilegal ka pote yon plent ak Pak Seals Florid.

Pou plis enfòmasyon sou Pwogram dwa sivil Flor Seals Florida yo ak pwosedi pou depoze yon plent, kontakte Rob Porcaro nan (561) 422-9568 ext. 19529 oswa rporcaro@fl.easterseals.com.

Thông báo cho công chúng về quyền Easter Seals Florida

Easter Seals Florida điều hành các chương trình và dịch vụ mà không tính đến chủng tộc, giới tính, màu da, nguồn gốc quốc gia, khuyết tật, tôn giáo, tuổi tác, khuynh hướng tình dục, hoặc tình trạng là phụ huynh. Bất kỳ người nào tin rằng cô ấy hoặc anh ta đã bị ảnh hưởng bởi bất kỳ hành vi phân biệt đối xử bất hợp pháp nào có thể nộp đơn khiếu nại với Easter Seals Florida.

Để biết thêm thông tin về chương trình Dân quyền Phục Sinh Florida và các thủ tục để nộp đơn khiếu nại, liên lạc với Rob Porcaro theo số (561) 422-9568 ext. 19529 hoặc rporcaro@fl.easterseals.com.

Уведомление общественности о правах Easter Seals Florida

Easter Seals Florida управляет программами и услугами независимо от расы, пола, цвета кожи, национального происхождения, инвалидности, религии, возраста, сексуальной ориентации или родительского статуса. Любой человек, который считает, что он или она пострадали от какой-либо незаконной дискриминационной практики, может подать жалобу в компанию Easter Seals Florida, inc.

Для получения дополнительной информации о программе гражданских прав Пасхальных тюленей Флориды и процедурах подачи жалобы свяжитесь с Робом Поркаро по телефону (561) 422-9568 доб. 19529 или по адресу rporcaro@fl.easterseals.com.

Complaint Forms

This form is available in English, Spanish, French Creole, Vietnamese and Russian.

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	TDD		Other
Section II:			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
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
Please Circle type of Compliant		ADA (Disability Discrimination)	Title VI (Discrimination of Race, color, or national origin)
Section III:			
I believe the discrimination I experienced was based on (check all that apply):			
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/> Other (explain) _____			
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. _____ _____			
Section IV			
Have you previously filed a Title VI complaint with this agency?		Yes	No

