

South Portland Bus Service ADA Complaint Procedures

Part A – for the Persons Filing the Complaint

How to File a Complaint

If you believe that you have been excluded from participation in, denied benefits or services of any program or activity administered by SPBS or its sub-recipients, consultants, and contractors on the basis of disability, you may bring forth a complaint of discrimination under the Americans with Disabilities Act (ADA) of 1990.

Where to File

You may file your complaint of discrimination with any or all of the following:

- ADA Coordinator, South Portland Bus Service, 25 Cottage Road, South Portland, ME
- City of South Portland
- MaineDOT's Civil Rights Office
- The Federal Highway Administration
- The Federal Transit Administration
- U.S. Department of Transportation

Time Limitation

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person became aware of the alleged discrimination; or
- Where there has been a continuing course of discriminatory conduct, the date on which the conduct was discontinued.

Form of Complaint

Complaints must be in writing, and must be signed by you and/or your representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

In the event you choose to make a verbal complaint of discrimination, the ADA Coordinator or other person authorized to receive complaints on behalf of SPBS, will interview you. If necessary, the authorized person will assist you in writing the complaint for you or your representative to sign.

You may use the complaint form on the next page. It is not required. Rather, it is intended to help you provide enough information so that SPBS can begin processing the complaint.

What Happens to the Complaint after it is filed?

1. **Review of Complaint.** The ADA coordinator or her/his designee reviews your complaint upon receipt to ensure that relevant information is provided, the complaint is timely, and falls within the agency's jurisdiction.
2. **Investigation Required.** Your complaint shall be investigated unless:
 - You withdraw the complaint.
 - Your complaint fails to provide required information.
 - Your complaint is filed beyond the 180-day timeframe.
 - You are not part of a disabled protected group.
 - Your complaint is determined to be more appropriately under a jurisdiction other than the City of South Portland and its Bus Service (hereinafter "SPBS"). If this is the case, you will be directed to the appropriate agency.

You must make yourself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

3. **Letter.** Upon determination that the complaint warrants SPBS investigation, you will be sent a letter, acknowledging receipt of the complaint, and giving the name of the investigator.
4. **Notification of Respondent.** The respondent – the person alleged to have committed the discrimination – will be notified by mail that she/he has been named in a complaint.
5. **Agency Investigation.** The ADA Coordinator of SPBS will conduct an investigation.
 - The investigation will address only those issues relevant to the allegations in the complaint.
 - Confidentiality will be maintained as much as possible.
 - Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
 - Within 40 days of receiving the complaint, the ADA Coordinator will make a final determination of "probable cause" or "no probable cause" and prepares the final decision letter to be sent to you. If there is probable cause that discrimination has occurred, the letter will outline the steps that will be taken to resolve your complaint.

What if I am not satisfied with the Outcome?

If you are not satisfied with the agency's determination as to whether or not there is probable cause that discrimination has occurred, or if you are dissatisfied with the steps the agency is taking to resolve your complaint, you may appeal to the Maine Human Rights Commission, #51 State House Station, 19 Union Street, Augusta, Maine 04333.

