



To: The COMET Riders, Staff, and Transdev

From: Robert Schneider, Executive Director

Re: Procedures for Investigating ADA Complaints

Date: December 7, 2016

- I. The COMET has established a process for investigating and resolving complaints alleging discrimination based on disability regarding THE COMET services, programs, and facilities pursuant to 40 CFR §27.7; 28 CFR §§ 35.130, 35.140, 35.149. These regulations implement provisions of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. This Notice and Grievance Procedure is adopted pursuant to 28 CFR §35.107 and 49 CFR §27.13. Copies are available at The COMET's main office, on the website, and Downtown Transit Center.
- II. The COMET's ADA Coordinator or his/her designee shall be responsible for overseeing investigations and responses to complaints of discrimination based on disability. Upon request, The COMET shall provide complainants the name and phone number of The COMET employee responsible for investigating the complaint. Required Information: Complainant's name, address, phone number, route number, date, time, location, direction and details. Complaints with incomplete information may result in delayed investigations and responses. The COMET cannot respond to complaints without the complainant's mailing address. How to File a Complaint: Complaints regarding prohibited discrimination based on disability may be submitted to THE COMET as follows:
 - a. By Telephone to The COMET: 803-255-7133
 - b. In Writing to the ADA Coordinator, The COMET, 3613 Lucius Road, Columbia, SC, 29201. Complaints may also be faxed to 803-255-7113.
 - c. In Person at The COMET's main office, 3613 Lucius Road, Columbia, SC, 29201, 8 a.m. to 4:30 p.m., Monday through Friday. It is advisable to call The COMET in advance to schedule an appointment. The COMET's ADA Coordinator will take complaints from the public by phone or in person. The Coordinator will offer instructions on how to file a written complaint. Before concluding the interview, the Representative will ask if the complainant wishes to have the information reviewed for accuracy and will make any requested corrections.
- III. Acknowledgement of Complaint Receipt: Within seven days after receipt of the complaint, a letter will be sent to the complainant that includes all of the following:
 - a. Acknowledgement that the complaint has been received and forwarded for

investigation.

- b. The date by which a response will be sent to the complainant.
 - c. How to contact THE COMET if the complainant does not receive a response by that date.
- IV. Investigation of Complaint: The designated The COMET employee will investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from receipt of the complaint. The response will set out a process for resolution of the complaint. If no action is taken, the response will state the reasons for the decision and the procedures for the complainant to appeal the decision.
- V. Appeal of Decision: If the complainant wishes to appeal The COMET's decision, the complainant shall make a request for a hearing in writing or other fixed format (such as audio tape) within 30 days from receipt of the response. The complainant shall submit the request for a hearing to The COMET's Executive Director either by mail to 3613 Lucius Road, Columbia, SC, 29201 or in person at same.
- VI. Appeal Process: Within 15 days from receipt of the request for hearing, the Executive Director or his/her designee (who has not previously been involved in the investigation of the original complaint) shall schedule a meeting to hear the complaint. The meeting shall be held at an accessible location within 30 days from receipt of the request for hearing. If desired, the complainant may be represented by a person of his/her choice. The Executive Director or his/her designee shall issue a final determination in writing within 21 days after the meeting.
- VII. Time Limits: The parties may extend any time limit set out above by written agreement.