

**SONOMA~MARIN AREA RAIL TRANSIT DISTRICT
COMPLAINT PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)/SECTION 504 OF THE
REHABILITATION ACT OF 1973 (§504)**

Sonoma~Marin Area Rail Transit District (SMART) is committed to ensuring compliance with the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 (§504), as amended. SMART has established a process for investigating and resolving complaints filed under the ADA and Section 504, for alleged discrimination in any program, service or activity administered by SMART. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a complaint under this procedure. SMART's personnel policies govern employment-related complaints of disability discrimination.

1. How to File a Complaint: Any person who wishes to file a formal complaint regarding an alleged violation of the ADA/§504 may file a written complaint by completing and submitting SMART's Civil Rights Complaint Form. Alternative means for submitted complaints will be made available for persons with disabilities upon request. Complaints must be filed within 30 calendar days of the alleged incident. Complaints may be hand-delivered, mailed, faxed or emailed to:

Attn: SMART ADA Coordinator
SMART District – Administrative Offices
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954
Email: info@sonomamarintrain.org
Phone: (707)794-3330
Fax: (707) 794-3062

2. Acknowledgement of Complaint Receipt: Within ten (10) working days of receipt of the complaint, the ADA Coordinator, or his/her designee, will provide complainant with an acknowledgement letter informing her/him whether the complaint will be investigated by SMART or forwarded to the appropriate agency or organization for response.
3. Investigation of Complaint: SMART will generally complete an investigation of the complaint within thirty (30) calendar days of receipt. If additional time for investigation is needed, the complainant will be contacted. If more information is needed to investigate the complaint, the ADA Coordinator, or his/her designee, may contact the complainant. In the event of such request, the complainant has thirty (30) calendar days from the date of the letter to provide the requested information. If SMART is not contacted by the complainant or does not receive the additional information within thirty (30) calendar days, SMART can administratively close the investigation. An investigation can also be administratively closed if the complainant no longer wishes to pursue their complaint.
4. Response: After the ADA Coordinator, or his/her designee, reviews/investigates the complaint, she/he will prepare a draft written response subject to review by SMART's General Manager and SMART's General Counsel. The ADA Coordinator, or his/her designee, will issue a written response letter to the complainant, and where appropriate, in a format accessible to the

Complainant. The response letter will include SMART's position and offer options for substantive resolution of the complaint.

5. Appeal Process: If the response of the ADA Coordinator or his/her designee, does not satisfactorily resolve the issue, the Complainant may appeal the decision within fifteen (15) calendar days to SMART's General Manager. If an appeal is not received within fifteen (15) calendar days of the ADA Coordinator's response letter, the complaint will be closed.

6. Within fifteen (15) working days after receipt of the appeal, the General Manager or his/her designee will review the appeal and will respond in writing, and, where appropriate, in a format accessible to the complaint, with a final resolution of the complaint.