



## **Newberry Express Transit Service ADA Discrimination Complaint Process**

Newberry Express transit service has established a process for resolving complaints of discrimination based on disability. Any person who believes he or she has been subjected to discrimination on the basis of disability may file a complaint under this procedure. The NCCOA Transit Manager or his/her designee shall be responsible for overseeing investigations and responses to complaints of discrimination based on disability.

**How to File a Complaint:** Please complete an ADA Discrimination Complaint Form. ADA Complaint Forms and the ADA Complaint Procedure is available electronically on Newberry Express website, or hardcopies of all material is available at the offices of:

Newberry County Council on Aging (NCCOA)  
Newberry Express Transit System  
113 Hunt Street  
Newberry, SC 29108  
Attn: Janet Ballentine, Deputy Director  
803-276-8266  
<mailto:jballentine@nccoa.org>  
OR  
[www.nccoa.org](http://www.nccoa.org)

Complaints can be filed orally or in writing and should contain:

1. The name, address and telephone number of the individual or representative filing the complaint; complaints filed on behalf of third parties must describe or identify the alleged victims of the discrimination,
2. An explanation of the alleged discrimination or denial of service,
3. The date the alleged violation(s) occurred,
4. Signature of the person filing a written complaint.

Complaints may be submitted by mail, email, left at the front desk, or given over the telephone to a transit representative. If an ADA Discrimination Complaint is given over the telephone, it is important to be very detailed and speak clearly. Once all the information is provided orally for the complaint form, a NCCOA staff member-completed complaint form will be returned to the caller to insure the accuracy of the caller's complaint and gain a signature from the complainant. Please be aware this added step may create a delay in submission of the finalized complaint form.

**Upon Receipt of an ADA Discrimination Complaint:**

Within **ten (10) business days** NCCOA will confirm the receipt of a written ADA Discrimination Complaint and let the complainant know the matter is being investigated. The NCCOA Transit Manager will investigate the complaint and respond in writing within **sixty (60) business days** from receipt of the complaint. The response will set out a process for the resolution of the complaint. If the decision is no further action will be taken, the written response will state the reasons for such a decision.

All individual ADA Discrimination complaints will be retained on file for at least one year and NCCOA will maintain a summary of all complaints received for no less than five (5) years. Please note that a transit Contractor's personnel files are confidential; therefore, specific information on disciplinary actions resulting from a complaint will not be divulged.

**How to Appeal:** The complainant can appeal the decision in instances where he or she is dissatisfied with the resolution. Appeals must be submitted to NCCOA in writing within **sixty (60) days** of receipt of the resolution letter. All appeal requests will be date-stamped to record the date the letter was received by NCCOA.

An appeal hearing will be conducted within **thirty (30) days** of receipt of the applicant's written request. Applicants will be notified no later than 15 days after receipt of their original appeal request letter with the scheduled time and location for the appeal hearing. The appeal process must allow for complainants to present their case in person and have necessary support for their appeal.

Personnel other than the person who made the initial complaint decision must conduct the appeal process. An example is two or more of the following representatives may serve on the appeals panel: NCCOA Executive Director, or his/her assigned representative, NCCOA Human Services Dept. Director, or his/her assigned representative, Transportation Service Contractor representative. The appeals panel decision will be mailed to the complainant by letter within 30 days of the hearing. All appeal panel decisions will be final.

Request for appeals should be directed to:

Newberry County Council on Aging (NCCOA)  
Attn: Executive Director  
1300 Hunt Street  
Newberry, SC 29108  
(803)276-8266

**The ADA Discrimination Process and Complaint Form can be available in an accessible format, upon request.**



## Newberry Express Transit Service ADA Disability Discrimination Complaint Form

- Please fill out this form completely  
*(Please read the ADA Discrimination Complaint Process to learn how to receive assistance, if desired, in completing the form)*
- Sign and return this form to the address shown below

Complainant Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, and Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name, Address, Telephone Number of Person Completing this Form on Behalf of the Complainant:

\_\_\_\_\_

\_\_\_\_\_ When  
did the alleged discrimination occur?

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Where  
did the alleged discrimination occur?

Location: \_\_\_\_\_

Describe your complaint of discrimination:

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(Attached additional pages, if needed)

Signature of Complainant: \_\_\_\_\_

Date: \_\_\_\_\_

Return Form to:

Newberry County Council on Aging (NCCOA)

Newberry Transit System

Attn: Janet Ballentine, Transit Manager

1300 Hunt Street

Newberry, SC 29108

(803)276-8266

[janetballentine@nccoa.org](mailto:janetballentine@nccoa.org)

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an accessible format, upon request.**