

COMMUNITY TRANSIT ELIGIBILITY AND SERVICE SUSPENSION APPEAL PROCESS

PURPOSE OF APPEAL HEARING

The purpose of an appeal hearing is for the customer to have an opportunity to present facts and circumstances which they feel were not properly considered when the original decision was made.

COMMUNITY TRANSIT ADA APPELLATE REVIEW BOARD

Comprised of at least three people, preferably five:

- Two CT staff not involved in the eligibility or suspension determination process
- Three community members, drawn from CT's disability community, with ideally one person with a disability similar to the appealing party

If fewer than five people are available to serve on the appeal panel, the staff representation shall never be more than 50%. There will always be at least two community members.

APPEAL PROCESS

1. An appeal is filed in writing by the applicant (or a certified legal guardian) to Community Transit's Transit Mobility Specialist of Contracted Transportation Services within 60 days of disputed decision.
2. A hearing is scheduled within ten working days of receiving the appeal request. CT staff distributes all pertinent eligibility/service suspension materials and documents to Appellate Review Board members prior to hearing.
3. The appealing party may present the facts of their appeal to the panel in written format or may appear in person before the Appellate Review Board. (The board may, at their discretion, require the appealing party to appear in person). The appealing party may be represented by an individual of their choice or present the facts themselves. This representative may be a friend, family member, lawyer, independent living or rehab counselor, or other professional. DART and other CT staff are present at the hearing to answer any questions that may arise.
4. The Appellate Review Board listens to the appealing party and asks questions of appealing party and/or attending staff to verify the facts.
5. After the hearing the Appellate Review Board reviews all the information, discusses the circumstances in relation to the ADA guidelines and DART procedures, and takes a vote for the decision. The majority vote prevails if consensus is not possible.
6. The Appellate Review Board may accept or modify the eligibility or suspension determination that DART had made. The decision of the appeal panel is final.
7. A decision is reached by the Appellate Review Board within 30 calendar days of the hearing date. If a decision is not made within 30 calendar days, the appealing party is provided service until a decision is made. An effort is made to complete this process at the earliest possible date.
8. When an appeal of suspension is received, the suspension is stayed pending the outcome of the appeal unless it is based on safety reasons.
9. The Appellate Review Board decision and the reasons for it are conveyed to the customer and DART management in writing.