

## Richland County Transit Board PARATRANSIT APPEALS PROCESS

The American with Disabilities Act (ADA) requires that transportation providers establish a process for persons to appeal decisions if they are denied access to Paratransit service. The Richland County Transit Board (RCTB) has established this appeals procedure for persons whose applications for Paratransit eligibility are denied, or for persons who have received suspension notices for other reasons.

An individual may file an appeal when Richland County Transit (RCT) denies Paratransit service for:

- ❖ Denial of eligibility for paratransit service
- ❖ Suspension resulting from excessive no-shows or late cancellations, which show a pattern or practice of missing scheduled trips
- ❖ Suspension for disruptive behavior

### The Appeal Process

Notification of a decision to deny eligibility status of an applicant, or to suspend service of a current rider, will be made in writing, sent via the United States Postal Service. If no address is given, or the letter is returned for any reason, other reasonable means of notification will be attempted.

Requests to appeal a denial of eligibility for paratransit service must be received within sixty (60) calendar days of the date on the eligibility denial letter.

Requests to appeal a suspension resulting from excessive no-shows or late cancellations; or for disruptive behavior, must be received within ten (10) calendar days of the date of the notice of suspension letter. The suspension will not begin until after the ten day appeal opportunity has elapsed.

Requests for an appeal must be sent in writing to:

RCTB Fiscal Officer  
Richland County Transit Board  
35 North Park Street  
Mansfield, Ohio 44902

Richland County Transit Board  
PARATRANSIT APPEALS PROCESS, page 2

The enclosed “Richland County Transit Board Appeal Request Form” may be used, but is not required.

When a request for an appeal is received, it will be reviewed by the Richland County Transit Board at their next regularly scheduled meeting, which typically occurs not less frequent than every thirty (30) days. If deemed appropriate by the RCTB, an appeal hearing will be scheduled within 30 days of the review.

RCT is not required to provide service to persons pursuing an eligibility appeal. However, if the Richland County Transit Board has not made a decision within 30 days after the review, temporary service will be provided. This temporary service will continue until a decision on the appeal is reached.

A pattern or practice of missing scheduled trips involves intentional, repeated, or regular actions, not an isolated, accident, or singular incident. A review of a rider’s no-shows can occur if there are at least three (3) no-shows within a 30 day period. A suspension could be imposed if more than 50% of all trips scheduled during that period were no-shows that are not beyond the rider’s control.

Missed trips that are due to circumstances that are beyond a passenger’s control such as driver lateness or transit agency error, will not be included in the trips under review for a pattern of no-shows. Additional factors such as illness, failure of a companion to arrive or additional factors may be considered as “beyond a rider’s control” for purposes of this policy.

Upon appeal for a no-show or late cancellation suspension, paratransit service will be provided pending the appeal; suspension of service will not begin until the appeals process is complete. If a decision is not made within 30 days of the completion of the appeal hearing, the person appealing the suspension shall be granted service until a final decision has been reached.

Upon appeal for a disruptive behavior, paratransit service will be provided pending the appeal; suspension of service will not begin until the appeals process is complete. If a decision is not made within 30 days of the completion of the

appeal hearing, the person appealing the suspension shall be granted service until a final decision has been reached.

If an appeal hearing is scheduled, persons requesting an appeal will be notified in writing of the time, date and location of the hearing. They are encouraged to attend, although attendance is not mandatory. If persons requesting the appeal cannot attend, they may have another person represent them at the hearing.

If the individual or a designated representative is not present at the appeal hearing, the Richland County Transit Board decision will be based on the eligibility, no show/late cancellation, or disruptive behavior documentation that is available to them. All copies of the appellant's application and all supporting materials used in the appeals process remain confidential. The Richland County Transit Board will issue a final written decision within 30 days of this hearing. The decision of the Richland County Transit Board will be final.

Questions about an appeal - If you have questions about your right to an appeal, call RCT at 419-522-4504 – Ext 102.

Adopted: March 16, 2015

Revised: December 11, 2017

Richland County Transit Board  
PARATRANSIT APPEAL REQUEST FORM

Please complete this form if you would like to appeal Richland County Transit's determination regarding your eligibility for, or suspension from, the Dial-A-Ride service. Please return the completed form to the address shown below. Completed forms must be postmarked within 60 days of the date of your eligibility denial determination letter, or within 10 days of your notice of suspension letter. Use of this form is encouraged, but not required.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

CONTACT PHONE: \_\_\_\_\_

Select one of the following:

\_\_\_\_\_ I choose to submit additional information to be considered by the appeals panel, but I do not wish to appear in person. If you chose this option, please send all additional information that you would like for the appeals panel to consider along with this form.

\_\_\_\_\_ I chose to appeal in person. If you chose this option you will be contacted to schedule a mutually agreeable day and time for your appeal hearing. You may bring additional information to the hearing and other persons may attend with you that are able to provide information on your behalf.

Submitter signature: \_\_\_\_\_

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

RETURN THIS FORM TO:     Richland County Transit Board  
                                  35 N. Park St.  
                                  Mansfield, Ohio 44902