

Paratransit Appeals

The ADA requires that transportation providers establish a process for persons to appeal decisions if they are denied access to Paratransit service or suspension of service due to Disruptive Behavior.

DCT has established an 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 DCT denies Paratransit service for:

- Denial of eligibility
- Suspension for Disruptive Behavior

The appeals process

DCT will inform an applicant or current customer of a decision to deny eligibility status or to suspend service by letter.

Requests to appeal a denial of eligibility must be received within 60 days of the date on the eligibility denial letter. Requests to appeal a suspension must be received within 10 calendar days of the date of the notice of suspension letter.

Requests for an appeal must be sent in writing to the ADA Administrative Appeals Committee at the following address:

Paratransit Appeals & ADA Programs
Attn: ADA Appeal Request
Delaware County Transit
119 Henderson Court Delaware, Ohio 43015

Once the request for an appeal is received, it will be reviewed by an Appeals Committee. The Committee consists of two DCT staff members, and a nominated member of the Transit Advisory Committee to serve on the appeals panel. Said nomination will be recorded in the minutes of the Transit Advisory Committee.

No individual employed by DCT who may have been involved in any way with processing original application shall serve on the appeals panel.

APPEALS TO THE ELIGIBILITY DETERMINATION

The Appeals Committee will issue a final written decision within 21 days of the appeal hearing. The decisions of the Appeals Committee shall be final.

DCT is not required to provide service to persons pursuing an eligibility appeal. However, if the Appeals Committee has not made a decision within 21 days after the hearing, temporary service will be provided. This temporary service will continue until a decision on the appeal is reached.

Persons requesting an appeal will be notified in writing of the time, date and location of the appeal hearing. They are encouraged to attend the appeal hearing, although attendance is not mandatory. If persons requesting appeals cannot attend, they may request a telephone interview or have another person(s) represent them at the hearing. If the individual or a designated representative is not present at the appeal hearing, the Appeals Committee decision will be based on the documentation submitted. All copies of the appellants' application and all supporting materials used in the appeals process remain confidential.

DENIAL OF SERVICE

DCT will not deny service to any certified individual unless the individual engages in violent, seriously disruptive, or illegal conduct while utilizing the complementary paratransit service. See DCT Bus's Passenger Code of Conduct Policy.

Overview

No individual may engage in any inappropriate or illegal behavior at or inside DCT facilities or assets which includes: bus shelters, operational and maintenance facilities, and all transit vehicles that are used to provide Fixed Routes, Demand Response, or Paratransit services.

Definitions

Disruptive Behavior – Any conduct by an individual or group activity which is disruptive, or injurious to other individuals who are lawfully using DCT assets and services; damaging or destructive to DCT assets or services; or disruptive, harassing, threatening, or injurious to DCT employees. The behavior may also constitute a violation of a city ordinance and/or a state or federal criminal law. Refer to (49CFR 37.5 App.D)

Conduct

A way of acting, a guide, to behave or manage.

Questions about appeals

If you have questions about your right to appeal, call DCT Paratransit line. The telephone number is 740-513-2599