Canby Area Transit
AMERICANS WITH DISABILITIES (ADA)
Eligibility Policy

Eligibility is the process whereby a rider can apply to receive ADA Complementary Paratransit or other special services for which they are determined eligible.

Application and Certification Process

When a customer contacts Canby Area Transit (CAT) with a request for ADA eligible service they are asked to complete a paper application and are given a copy of the Paratransit Brochure that describes CAT’s Paratransit Service. A Paratransit Application form is provided to all customers requesting Paratransit Service. All eligibility materials are available in accessible formats upon request.

Once a completed application is received, CAT may take up to 21 days from receipt to make an eligibility determination. No application for special services is accepted for review by CAT until all sections of the application are completed. All partially complete or illegible applications are returned to the applicant. The Transit Director or designee will review all completed applications to determine eligibility for special services including the category of service such as permanent, temporary, or conditional. Follow-up phone, in-person interviews, or functional assessments may be needed. If an initial determination is not made within 21 days of the individual's request for service, they will be provided temporary services on a presumption of eligibility until eligibility is determined.

All applicants receive notification of their eligibility or service denial in writing and in an accessible format if requested. Individuals who are certified as eligible are provided with an identification card.

Denial of Service
If ADA Paratransit Service is denied, the individual has the right to appeal this decision. The service denial will be provided in writing, will detail the reasons for denial and provide information about the process of appealing the decision. The denial decision will be determined by the Transit Director or designee, who will sign the denial notification letter.

Appeal Process
Any applicant who is denied ADA Paratransit eligibility or disagrees with any established conditions of eligibility has the right to appeal the determination. An appeal request must be submitted in writing and postmarked or delivered within 60 days of the applicant receiving written notification of the decision regarding eligibility as provided above. Appeal requests should be addressed to: Transit Director, City of Canby, PO Box 930, 195 S Hazel Dell Way, Suite C, Canby OR 97013 for review. The appellant, at their request, has the right to meet with the Transit Director to present additional information and arguments. Anyone needing special accommodations may contact Canby Area Transit for assistance at 503.266.4022 or 195 S Hazel Dell Way, Suite C, Canby OR 97013.
The decision of the Transit Director must be made within 30 days and provided in writing or in an accessible format, and include the reasons for the finding. If the decision of the Director is not satisfactory, a further appeal can be made within 30 days to the Transit Advisory Committee at an open, public meeting. Determination at such a meeting will be forwarded as a recommendation to the Canby City Council for approval. Canby City Council determinations will be final. A record of action taken on each request or complaint must be maintained as part of the record or minutes at each level of the appeal process.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as the filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

Visitor Privilege
Visitors will be allowed Paratransit Services when traveling in Canby. The individual should have a certification from their home of record. If they do not and the disability is not obvious, the certification process will be used to determine eligibility. Visitor privilege will be provided by CAT for up to 30 days per year. Individuals certified by another transit agency in the region will have unlimited reciprocity.

Suspension of Services
Canby Area Transit reserves the right to suspend from services any ADA Paratransit qualified person, who establishes a pattern or practice of missing scheduled trips and/or for violating the passenger conduct rules posted in CAT vehicles. Repeated violations can result in services being revoked for up to a maximum of one year. All suspension decisions will be the responsibility of the Transit Director, subject by appeal to the City Council.

Personal Care Attendant
An ADA Paratransit eligible rider may travel with a Personal Care Attendant (PCA) who may ride free of charge. Other companions may ride as space allows and will be required to pay any applicable fares.

Eligibility Identification Cards
Eligibility Identification Cards will include: Customer name, Customer number, and expiration date for eligibility.

Temporary or Conditional Certification
If eligibility is determined temporary, the ADA Paratransit qualified person will need to be re-certified at the end of the termed period, unless a longer time period is recommended by the physician and approved by the Transit Manager.

If eligibility is determined conditional, the ADA Paratransit qualified person can request to have the status of eligibility reviewed should the conditions change.