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**VVTA ADA APPEAL PROCEDURES**

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Organizations Affected:

VVTA Administration  
Paratransit Service Contractor

Effective Date: June 1, 1998

Revised Date: March 15, 2004

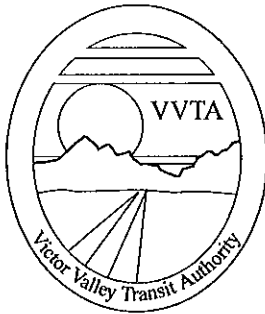
Approved by: Kevin Kane, General Manager

As Authorized by the  
Board of Directors on: March 15, 2004

Attest: Nancie Goff, Clerk of the Board

**POLICY / PROCEDURE NO. 1.018.98**

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## **VVTA ADA APPEAL PROCEDURES**

### **A. Goal:**

VVTA has adopted the following appeal procedures as the mechanism for resolving complaints relative to the VVTA Direct Access services, policies and procedures.

The following administrative procedure has been established to insure prompt and equitable resolution of appeals of any person with a disability who wishes to appeal their eligibility determination for VVTA Direct Access service. The same appeal procedure will be used for appeals filed by persons who have been notified of pending service termination or suspension.

### **B. Appeal Procedure:**

1. An applicant/passenger who wishes to appeal an eligibility determination, service suspension or termination must address an appeal, in writing, to the VVTA ADA Appeals Panel within 60 days after official notification. The appeal must state why the appellant believes the VVTA's eligibility determination, service suspension or termination was in error. The appellant will be entitled to be heard in person and to have necessary support, such as a sign interpreter, or may choose to be

represented by another person. Reasonable accommodation will be made for all aspects of the ADA Eligibility and Certification Procedures, and the Appeal Procedures.

2. The appellant will be notified in writing of the Panel's decision as soon as possible. It will normally take less than 30 days for the Panel to render a decision from the date the appeal is filed.
3. For persons who submitted a new application and are appealing VVTA Direct Access service eligibility determination, no VVTA Direct Access service will be provided for during the period of time the appeal is being considered by the VVTA ADA Appeals Panel. For persons who submitted a recertification application and are appealing VVTA Direct Access service eligibility determination, your original certification determination will remain in effect. However, if an appeal has not been decided within 30 days from the date the appeal is received by the Panel, presumptive eligibility will apply and VVTA Direct Access service will be provided until such time as the Panel renders a decision.
4. Persons appealing VVTA Direct Access service terminations or suspensions will continue to be scheduled for VVTA Direct Access service trips during the entire period of time the VVTA ADA Appeals Panel is considering the appeal. The termination or suspension, if upheld, will not become effective until such time as the Panel renders a final decision.

#### C. VVTA ADA Appeals Panel:

This Panel shall be comprised of one VVTA staff member, one ADA contractor employee, one member of the VVTA Technical Advisory Committee (TAC), one member of PASTACC and one representative from Department of Aging and Adult Services (DAAS) or Department of Rehabilitation.

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