



OXFORD UNIVERSITY TRANSIT
PARATRANSIT
SERVICE POLICIES AND PROCEDURES

Effective October 20, 2008

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INTRODUCTION

Oxford University Transit (OUT) Paratransit Service, like all OUT services, is provided in a manner that furthers the vision and mission of the OUT.

Vision

Be a leader in advancing public transportation alternatives.

Mission

As a transit provider, the Oxford University Transit is committed to provide safe, customer focused, and efficient mobility solutions for the city of Oxford and the University of Mississippi.

It is the policy of the Oxford University Transit (OUT) to provide a complementary paratransit service to those individuals determined to be Americans with Disabilities Act (ADA) Paratransit eligible

PURPOSE AND NEED

The *OUT Paratransit Service Policies and Procedures* document is intended to outline the provision of demand response service by OUT throughout the service area.

OUT Paratransit is a curb-to-curb public transportation service for people who have a physical, cognitive or mental disability. *OUT Paratransit* is operated in compliance with the ADA and is a shared-ride, public transportation service. As such, other passengers may be onboard and the vehicle may stop for other pick-ups and/or drop-offs on the way to a destination.

I. ELIGIBILITY

OUT Paratransit ADA Paratransit Eligibility

The ADA definition of eligibility as codified in 49 CFR 37.123, the "ADA Paratransit Regulations," addresses three categories of individuals who are eligible for complementary paratransit service. Specific definitions of the three eligibility categories described in the ADA Paratransit Regulations are as follows:

1. Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.

Included in this category are individuals with mental or visual impairments who can not "navigate the system."

2. Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride, and disembark from any vehicle which is readily OUT Paratransit to and usable by individuals with disabilities if the individual wants to travel on a route of the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.

*Eligibility under this category depends on the OUT Paratransit of vehicles and routes. A person is eligible for paratransit service if the **vehicle** assigned to the fixed route on which they want to travel is not yet OUT Paratransit. **All OUT buses are accessible.***

3. Any individual with a disability who has a specific impairment-related condition, which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

Two important qualifiers to this category are included in the regulations. First, the "specific impairment-related condition" must prevent the person from using the fixed route system. Conditions, which make getting to or from stops more difficult, do not confer eligibility. Second, architectural barriers not under the control of the public entity and environmental barriers do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is impossible when these factors are combined with the person's specific impairment-related condition, paratransit service must be provided.

Conditional Eligibility

Some people with disabilities may be able to use the local fixed route bus service under certain conditions, but not under others. Therefore, eligibility for *OUT Paratransit* service for some people will be determined on a trip-by-trip basis.

Temporary Eligibility

A person with a temporary disability will be eligible for *OUT Paratransit* service if the disability results in his/her functional inability to use the *fixed route* bus system as described in the three eligibility categories. Temporary eligibility may be granted up to the amount of time recommended by a medical professional.

Strictly Limiting Eligibility

The certification process shall strictly limit ADA paratransit eligibility to individuals who meet the regulatory definition of eligibility. Only those persons who meet the regulatory definition can be given documentation indicating that they are “ADA Paratransit Eligible.” If individuals who are determined to be ADA paratransit eligible can use fixed route service under certain conditions, the documentation which they are given will indicate the limitations/conditions of their eligibility.

II. CERTIFICATION PROCESS

The goal of this process is to ensure that only people who meet the regulatory criteria are regarded as ADA paratransit eligible and only people who meet ADA criteria are approved to schedule *OUT Paratransit* (Non-ADA) trips.

Application

In order to use *OUT Paratransit*, individuals must complete and submit an application. Applications can be obtained by calling the RSVP office at (662) 232-2377

Upon receipt of **completed** applications, ADA regulations allow a maximum of 21 days to process applications. *OUT* will begin processing properly completed applications immediately upon receipt. Only completed, signed applications, which may be mailed or faxed, will be considered for review. Applicants will receive written notification of eligibility via U.S. mail.

Completed applications include:

1. Application
2. Physician’s Form

The application will not be reviewed until both components are received.

For applicants with a disability, a licensed physician or certified human services professional familiar with the applicant’s condition must complete the attached physician form in order to prevent delay with the application review. Examples of licensed or certified human service professionals include:

Medical Doctor, Psychiatrist, Psychologist, Social Worker, Rehabilitation Professional, Physical/Occupational Therapist, Physician's Assistant, Nurse Practitioner, Registered Nurse.

Once the application is fully completed, the signed original should be mailed or faxed to:

OUT
107 Courthouse Square
Oxford, MS 38655

Eligibility Determination

OUT personnel will determine the eligibility status of a passenger based on the information contained on the application and physician's form. A person may be determined to be eligible, temporarily eligible, or conditionally eligible for certain trips. The applicant will be notified in writing of the eligibility upon determination. An in-person interview may be necessary for eligibility determination. Transportation for any required in-person interview will be provided by OUT.

Notice of Initial Determination

An applicant that is determined to be eligible for ADA service will be mailed (to the address printed on the application) documentation of eligibility specifically stating that the person is "ADA Paratransit Eligible." This eligibility qualifies the customer to schedule OUT Paratransit trips. The document will include the name of the eligible individual, the phone number of *OUT Paratransit* operations office, an expiration date for eligibility, and any conditions or limitation on the individual's eligibility including the use of a personal care attendant. If the determination is that the person is not eligible, the written notification will state the specific reason(s) for the finding. All applicants have the right to appeal the initial determination of eligibility.

Eligibility Appeal Process

The *OUT Paratransit* eligibility appeal process is as follows:

- Individuals are permitted to request an appeal to the *OUT Paratransit* Appeal Panel (AAP) within sixty (60) days of the initial eligibility decision, beginning on the date the individual receives notification of the initial decision;
- Appellants have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the *Connect* fixed route service;
- The AAP hears all appeals and the Panel's ruling is final.
- Applicants are notified of appeal decisions in writing, or in an *OUT Paratransit* format if requested, and the notification will state the reason(s) for the decision if eligibility is still denied;
- Applicants should mail appeals to the following address:

OUT Paratransit Appeal Panel
1801 East University Ave
Oxford, MS 38655

- If a decision on the appeal is not made within 30 days of the completion of the process, individuals will be considered “presumptively eligible” and will be provided paratransit service until and unless a decision to deny the appeal is issued.

Recertification Process

Passengers will be subject to individual recertification every three years from the date they are certified. Re-certification is done to ensure that circumstances have not changed or invalidated an individual’s eligibility. Recertification also ensures that OUT’s files are accurate and contain up-to-date information. OUT reserves the right to re-certify eligibility at any time.

III. SERVICE PARAMETERS

OUT Paratransit, which is prescribed in the Code of Federal Regulations chapter 49 part 37, is provided in an area within three-quarters of a mile on either side of each local fixed route. ADA paratransit is currently provided within the city of Oxford and a portion of Lafayette County three quarters of a mile beyond the fixed route serving Brittany Woods.

OUT Paratransit certified riders may schedule trips to begin and end anywhere in the following area:

- Oxford
- Three quarters of a mile beyond the fixed route serving Brittany Woods

Service Hours

OUT Paratransit service hours are intended to mirror that of the local fixed route service.

OUT Paratransit service hours (excluding holidays) are:

6:15AM a.m. – 6:45 p.m. Weekdays

7:45am a.m. – 6:45 p.m. Saturday

OUT observes the following holidays and service is not available:

- New Year’s Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

IV. SCHEDULING A TRIP

An *OUT Paratransit* trip may be scheduled by calling 662 232-2377 between one (1) and seven (7) days in advance of the requested trip date. Reservations may be made between 8:00 a.m. and 5:00 p.m. Monday through Sunday. On Saturday, Sunday and holidays an answering machine will take requests. **Requests for same-day service will be provided if capacity is available.**

Customers will receive a confirmation telephone call one day prior to their scheduled trip. It is recommended that phone numbers on record with OUT be equipped with messaging devices. If OUT is unable to contact a passenger due to a wrong number being on file or due to no answer on a phone without a messaging device, the passenger remains obligated to the trip scheduled. For ADA paratransit trips, OUT may offer travel times one hour before or one hour after the requested travel time as established under the ADA paratransit service criteria. Every effort will be made to schedule these trips within a reasonable time window.

Customers will receive a confirmation telephone call one day prior to their scheduled trip. The confirmed trip time may be different than the originally requested time.

Customers will receive an approximate time for pick up.

The driver may arrive up to 15 minutes before or after this time (30 minute Ready-time Window), and be considered on-time for your trip. Customers should be ready to go and be waiting in a place where they can hear or see the vehicle arrive. **If the OUT Paratransit vehicle arrives after the 30 minute ready-time window, the passenger will not be required to pay for the trip.**

If the vehicle fails to pick up within one hour of the scheduled trip, the customer is entitled to request a credit for the trip by calling the OUT Operations office. Once the missed trip is validated, a credit will be placed in the customer's file to be used at a later date.

Subscription Service

According to ADA Guidelines, no more than 50% of scheduled service can be designated as Subscription Service. OUT reserves the right to restrict and/or prioritize Subscription Service to maintain a maximum level of 50%. Subscription Service is limited to customers traveling to the same place at the same time at least three times per week for a minimum period of ninety (90) days. OUT will terminate any subscription service that is canceled 50% or more of the time during any thirty (30) day period, or if there is a consistent pattern of cancellations or no-shows of any part of a subscription.

V. SERVICE RULES

Drivers are not allowed to go into residences or other facilities to look for passengers. To avoid delaying other passengers, drivers can only wait five minutes upon arrival before proceeding on their route. A customer will be charged with a “No-Show” if the vehicle arrived to pick them up within 15 minutes on either side of the pick up time and the customer was not ready to go within five minutes.

All passengers are required to pay the full fare upon boarding the vehicle. If using a prepaid book of tickets, the customer will place a one-ride ticket in the farebox as fare payment. Passengers shall remain seated and are encouraged to fasten their seat belt. For safety, drivers are not allowed to put the vehicle in motion until all passengers are seated. For the comfort of all passengers on board, smoking, eating and drinking are not allowed.

Vehicle operators are not allowed to make changes in scheduled times or destinations without authorization from the OUT Operations office.

OUT operators provide minimal assistance to passengers, minimal assistance DOES NOT include:

- Assistance getting in and out of a wheelchair
- Administering medication or oxygen
- Assisting passengers in wheelchairs up or down stairs
- Assistance with excessive items (i.e. more than two grocery bags)
- Assisting passengers up and/or down ramps at residence or destination

If a passenger needs medical attention during an *OUT Paratransit* trip, appropriate medical professionals will be contacted for assistance. An *OUT Paratransit* passenger who requires medical care during transit due to a medically unstable condition may not be eligible for service during this period of medical instability. ***OUT Paratransit is not an emergency medical transportation service.***

VI. FARES

One-way fare for passengers and guests, excluding Personal Care Attendants, is \$2.00. The fare must be paid at the beginning of each trip. Passengers shall pay the fare in an exact amount. The operator will not accept checks for payment.

VII. ACCOMPANYING PASSENGERS

Personal care attendants (PCA)

A personal care attendant who is required to ride with the passenger may ride free. The need for PCA must be indicated on the certification application in order for the PCA to ride free. PCAs must be scheduled at the same time the client schedules their trip in order to reserve the necessary space on the vehicle. The origin and destination of the PCA must be the same as the customer.

Guests

A customer may invite one guest to travel with him or her, and other guests will be permitted on a space available basis. **Guests are charged the same applicable rate as the *OUT Paratransit* customer.** Customers must reserve a space for their guest, whether child or adult at time of scheduling. Guests must be picked up and dropped off at the same address as the *OUT Paratransit* customer. Children age six and under ride free and must be accompanied by an adult.

Service Animals

Guide dogs and other service animals are permitted on all *OUT* vehicles and are allowed to accompany passengers if this need is indicated in their file. When scheduling a trip, customers should inform *OUT Paratransit* scheduling if a service animal will be accompanying the customer on the trip.

Packages

Carry-on packages are limited to two (2) grocery bags or similar-sized packages onboard *OUT Paratransit* vehicles. Operators can help a customer carry two packages on and off the vehicle from the same sidewalk or waiting area where the customer boards and gets off the vehicle. The operator cannot carry any packages to the door. Packages should weigh no more than 20 pounds each.

VIII. VISITORS

Out-of-town visitors who are ADA eligible may use *OUT Paratransit* by presenting documentation showing ADA eligibility. Visitors with disabilities who do not present

ADA Paratransit Eligibility documentation will be required to present documentation on their place of residence and of his/her disability. *OUT Paratransit* shall accept a certification by such visitors that they are unable to use fixed route transit. *OUT* will provide *OUT Paratransit* service to visitors for no more than 21 consecutive days within a 365 day period. Visitors must contact the *OUT* Operations Office Monday through Friday, 8 a.m.-5 p.m., at 662 232-2377 no later than one week before service is required. Once this is done, advance reservations can be made up to 5 days in advance.

IX. NO-SHOWS AND CANCELLATIONS

Trips no longer required by a customer, whether single trips or subscription service, must be canceled by 5:00 p.m. the day before the scheduled trip. Trips canceled by 5:00 p.m. the day before the scheduled trip will be considered an **Advance Cancellation**. To cancel a trip, customers must call 662 232 2377.

Missed scheduled trips adversely affect service provision as well as other users of *OUT Paratransit*. To that end, *OUT* has implemented a set of sanctions to be applied in the case of individuals who systematically miss scheduled trips.

Same Day Cancellations

A Same Day cancellation occurs when a customer cancels a scheduled trip between 5 p.m. the day prior to the trip and up to two hours before the scheduled pick-up time.

Two (2) Same Day Cancellations within a thirty day period will be charged as one (1) no-show.

No-Shows

A no-show occurs when a customer fails to cancel their trip at least 2 hours before the scheduled pick-up time or board the *OUT Paratransit* vehicle within 5 minutes after it arrives within the ready-time window.

No-Shows and trip cancellations adversely affect service provision as well as other users of *Access*. Sanctions will be applied in the case of individuals who systematically miss scheduled trips.

X. SUSPENSION OF SERVICE

Passengers must not engage in activities or conduct resulting in misuse of the system, or unnecessarily reserve and/or use space that could otherwise be utilized by people who need service. Examples of misuse include, but are not limited to:

- Failing to show up for scheduled rides (No-Shows)
- Excessive Same Day Cancellations
- Engaging in disruptive behavior
- Falsifying medical justification for eligibility

Suspensions shall not be proposed or implemented for circumstances which are beyond the passenger’s control. Examples of situations not within the passenger’s control are:

- A sudden personal emergency
- Sudden or worsening illness
- A late vehicle arrival
- Medical conditions which may cause involuntary behavior (e.g. Tourette’s Syndrome)

Service Suspension for No-Shows

Because no-shows have the potential to adversely affect other passengers, a charge for the trip will be imposed on the second and third incidents and due before the customer is allowed to ride again. In addition, an accumulation of four (4) no-shows within a 30-day period will result in a suspension of service or fee payment.

Within each 30-day period, the following penalties shall be assessed for no-shows:

<u>Occurrence</u>	<u>Penalty</u>
First	Verbal notification to customer
Second	\$2.00 fee and verbal notification to customer
Third	\$2.00 fee and written notification to customer
Fourth	Five (5) day suspension of service or payment of a \$10 fee

Customers accumulating eight (8) no-shows within a sixty (60) day period will receive a thirty (30) day suspension of service.

Fees must be paid when the next *OUT Paratransit* trip is taken. If the no-show fee is not paid prior to or on the first scheduled trip following the no-show, no further trips may be scheduled until the no-show fee is paid.

After the fourth and eighth occurrences, OUT will contact the customer via telephone and send a letter identifying the proposed suspension period or fee and the reasons for the penalty. Customers who appeal a proposed suspension may continue to ride pending a decision on the appeal. If the appeal is denied, the suspension shall be imposed effective the date the appeal is denied, pending final notification to the customer.

Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct

Service shall immediately be suspended for 30 days or until an appeal hearing is held, to passengers who engage in violent, seriously disruptive or illegal conduct. This includes, but is not limited to:

- Threats of physical harm to other passengers, drivers or other service personnel
- Physical assault or battery on driver or other passengers
- Verbal abuse, intimidation or altercation with driver or other passengers
- Unlawful harassment of driver or other passengers, including, but not limited to unwelcome verbal, nonverbal, or physical behavior having sexual or racial connotations
- Unauthorized use of or willful damage to vehicle equipment
- Smoking while aboard the vehicle
- Repeatedly violating riding rules, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without valid medical reason, defacing equipment or refusing to comply with other service requirements specified in the policies included in this document
- Failing to maintain reasonably acceptable personal hygiene standards which could interfere with the safe operation of the vehicle by the driver or with the use of the service by other passengers
- Any other criminal conduct defined in and/or prohibited by the Texas Penal Code

Customers suspended from service for exhibiting violent, seriously disruptive and/or illegal behavior shall be contacted by OUT Administration to investigate the alleged situation or incident. If OUT Administration determines the customer's behavior to be disruptive or violent, the customer shall be sent a written notice by OUT explaining the reasons for the suspension.

Note: Customers who engage in physical abuse or cause physical injury to another customer or operator may be subject to immediate and permanent suspension, and possible criminal prosecution.

The person shall have five (5) calendar days from the date of notice of the proposed suspension to submit to OUT Operations a request for an appeal. He or she (or their representative) shall include a written explanation as to why the suspension should not be imposed. Customers appealing a suspension based on seriously disruptive or violent behavior may not continue to ride until the OUT Paratransit Appeal Committee issues a written decision on the case. Disruptive behavior which is determined to be due to a disability of the customer may not result in a suspension. However, OUT may require the customer to travel with a Personal Care Attendant (PCA) if it is established that the customer's behavior poses a significant potential threat of harm to other passengers or to the driver. If such disruptive behavior continues and the required PCA is unable to prevent further instances of such behavior so that the customer continues to present a potential safety problem, service for the customer may be discontinued.

Service Suspension Appeal Process

A customer who disputes the basis for a suspension of service may request an appeal hearing by calling or writing OUT at:

**OUT Paratransit Appeal Panel
1801 East University
Oxford, MS 38655
662 232-2377**

1. Before sanctions may be imposed, the individual has the option to appeal the sanction(s). The OUT Paratransit Appeal Panel will have the final say on all appeals.
2. Once an individual requests an appeal, the AAP will hear all current violations. For example, suppose an individual appeals sanction for May 2nd and the appeal can not be heard until May 17th and this individual incurs three additional no-shows during the interim, all violations will be heard during the same meeting.
3. Before service may be suspended, the individual will have the opportunity to be heard and to present information justifying the no-shows.
4. *OUT Paratransit* service will not be suspended while an appeal is being considered.
5. OUT will notify the individual, in writing, of the AAP's ruling on all appeals. This notification will outline the ruling and supporting reasons. A decision will be provided to the appellant within 30 days from the appeal request date.
6. Once the individual has been informed of the ruling, sanctions will either be dismissed or imposed on the next day of service.
7. OUT requires appeals regarding suspension of service due to excessive no-shows be made within 60 days of occurrence. Appeals regarding suspension of service due to violent, seriously disruptive and/or illegal conduct must be made within 10 days of occurrence.
8. The AAP's decisions are final.

XI. DEFINITIONS OF TERMS USED

ADA Paratransit Service – ADA paratransit service is provided as a complement to fixed route service to those individuals who are unable to ride fixed route services due to disability. ADA service is required within three-fourths (3/4) of a mile on each side of each local fixed route. ADA paratransit service is complementary in the sense that it is

meant to be equivalent to local fixed route service and afford those with disabilities the same opportunity to use public transportation.

Advance Cancellation – trips cancelled by 5:00 p.m. the day before a scheduled trip.

Demand Response Service - Non-fixed-route service utilizing vans or buses with passengers boarding and alighting at pre-arranged times at any location within the system's service area.

Local fixed route service - bus service provided on a fixed schedule along a pre-established route with frequent stops along the route that operates in both peak and off-peak hours. All OUT fixed route vehicles are wheelchair OUT Paratransit and have space designated for people with disabilities and the elderly. OUT encourages all persons with disabilities to use its local fixed route service

Mobility Device – a mechanism such as a wheelchair, a walker or a scooter, designed to aid individuals with mobility impairments. They can be either manually operated, or powered.

No-Show – A no-show occurs when a customer fails to cancel their trip at least 2 hours before the scheduled pick-up time or board the *OUT Paratransit* vehicle within 5 minutes after it arrives within the ready-time window. In accordance with ADA regulations, customers who show a pattern and practice of missing scheduled trips may be suspended for a reasonable period of time.

Paratransit – a comparable transportation service that is required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems.

Personal Care Attendant – An individual who accompanies an *OUT Paratransit* passenger to assist the individual in utilizing *OUT Paratransit* service.

Ready-time Window – A 30 minute window, 15 minute before and 15 minutes after the scheduled pick up time, in which a customer should be ready for pick-up.

Same-Day Cancellations – A same-day cancellation occurs when the customer cancels a scheduled trip between 5 p.m. the day prior to the trip and up to two hours before the scheduled pick-up time.

Service animals - animals that are individually trained to perform tasks for people with disabilities- such as guiding people who are blind or who have low vision, alerting people who are deaf, pulling wheelchairs, alerting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.

Subscription service – an ongoing standing order for a passenger traveling to the same place at the same time at least three times a week for a minimum period of 90 days.

Wheelchair – mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.