

<p>Title: Kenaitze Indian Tribe Kahtnu Area Transit Appeal Process for ADA Paratransit Eligibility Determination and Service Suspension Policy</p>	<p>Effective Date: Council Approved 09/24/2025</p>
<p>Policy Classification: Tribal Wide</p>	<p>Function: Operations</p>

PURPOSE:	To provide guidelines for the appeal process to riders of Kenaitze Indian Tribe’s Kahtnu Area Transit’s public paratransit service regarding eligibility determination and service suspension.
APPLIES TO:	All Kenaitze Indian Tribe employees, contractors, students, and volunteers.
DEFINITIONS:	ADA Paratransit: Refers to the Federal Transit Administration (FTA) paratransit as defined under the Americans with Disabilities Act (ADA), is a complimentary service to fixed-route public transportation designed to provide transportation to individuals with disabilities who, due to their disabilities, cannot utilize the regular bus or rail system. This service must be comparable to the level of service provided to those using fixed-route transportation, including operating during the same days and hours.
POLICY STATEMENT:	<p>The Kenaitze Indian Tribe has established an appeal process laid out in the policy and procedure for the following:</p> <p>An applicant for ADA paratransit or an eligible rider recertifying eligibility who is denied eligibility or given conditional or temporary eligibility may appeal the decision.</p> <p>An ADA eligible rider receiving notice of a service suspension due to a pattern or practice of no-shows may appeal the decision.</p> <p>The U.S. Department of Transportation (U.S. DOT) regulations for implementing the Americans with Disabilities Act of 1990 (ADA) require a public transit agency with ADA paratransit service to have an appeals process as part of its eligibility determination process and for service suspensions related to a pattern or practice of no-shows.].</p>
REFERENCES:	Kenaitze Indian Tribe Kahtnu Area Transit Appeal Process for ADA Paratransit Eligibility Determination and Service Suspension Procedure 49 CFR Part 37, Subpart F
CONTACT:	If assistance or additional information about the procedure is required contact the Tribal Programs Director.
RIGHT TO CHANGE:	The Tribal Council, in its sole discretion, may amend or rescind this policy, in whole or in part, at any time without notice.
POLICY HISTORY:	Origination Date: 09/24/2025

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PROCEDURE:	<p>If an applicant for ADA paratransit would like to appeal one of the following decisions they shall follow the appeal process laid out in this procedure:</p> <ul style="list-style-type: none"> • Eligible rider recertifying eligibility whom is denied • Eligible rider recertifying eligibility whom is given conditional or temporary eligibility • Eligible rider receiving notice of a service suspension due to a pattern of no-shows <p><u>Submit an Intent to Appeal:</u> The individual appealing, referred to as the appellant, must submit an intent to appeal in writing, and it must be filed within sixty (60) days of notification of the eligibility determination or of a service suspension.</p> <p>Appeals shall be submitted via first class mail or email, contacts are listed on Kahtnu Area Transit’s website. The written intent to appeal shall state the reason(s) for the appeal with supporting information if the individual believes it would assist Kenaitze Indian Tribe to make an appeal determination.</p>

	<p><u>Appeals Process and Determination:</u> Once the intent to appeal is received, Kenaitze Indian Tribe’s Appeals Workgroup will review the appeal. The Appeals Workgroup will make a decision on the appeal upon thirty (30) days of receipt and provide the decision and reason(s) for the decision to the appellant in writing. If a decision on the appeal has not been made within thirty (30) days after receipt of appeal, the appellant will be provided ADA paratransit service until a final decision is made.</p> <p><u>Provision of ADA Paratransit During Appeals Process:</u> The provision of ADA paratransit from the time when the appeal is received by Kenaitze Indian Tribe to the time when a decision on the appeal is made depends on the reason for the appeal:</p> <p>If the appellant is a new applicant for ADA paratransit, no ADA paratransit will be provided until a decision has been made by the Appeals Workgroup.</p> <p>If the appellant is currently eligible for ADA paratransit and whose recertification is denied or given conditional or temporary eligibility, ADA paratransit will be provided until a decision has been made by the Appeals Workgroup.</p> <p>If the appellant is appealing service suspension due to a pattern or practice of no-shows, ADA paratransit will be provided until a decision has been made by the Appeals Workgroup.</p>
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