

FTA

F E D E R A L T R A N S I T A D M I N I S T R A T I O N

Southeastern Pennsylvania Transportation Authority

ADA Paratransit Compliance Review

Final Report

September 2018



U.S. Department of Transportation
Federal Transit Administration

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Executive Summary

Objective and Methodology

This report reviews the complementary paratransit service of Southeastern Pennsylvania Transportation Authority (SEPTA), serving the City of Philadelphia and four surrounding Pennsylvania counties (Bucks, Chester, Delaware, Montgomery). It verifies whether this service is meeting SEPTA's obligations under the Americans with Disabilities Act (ADA) requirements to provide paratransit as a complement to fixed route service.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures and interviews with eligible SEPTA paratransit riders and local disability organizations
2. Site visit: a three-person review team's observation of SEPTA's paratransit trip requests including scheduling and dispatching, examination of eligibility applications and related documents (including appeals), and interviews with SEPTA and contractor employees
3. Analysis and reporting: identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

SEPTA's complementary paratransit service includes the following positive program elements:

Positive Program Elements

- SEPTA has a thorough eligibility determination program, with SEPTA staff conducting all tasks in the initial determinations.
- SEPTA's complaint resolution is comprehensive and well documented.
- Pickup performance in SEPTA's suburban counties exceeds the on-time performance standard.

The following administrative deficiencies are easily correctable to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

Administrative Deficiencies

- Policies and public information for service to visitors are not consistent or clear.
- The complementary paratransit service area does not cover all areas served by fixed route.
- Some paratransit fares are greater than twice the fare of comparable fixed route trips.
- Policies and procedures for coordinating paratransit trips between SEPTA and adjacent agencies' complementary paratransit services are not in place.

The following substantive deficiencies need to be addressed to bring its program into compliance with 49 CFR Parts 27, 37 and 38:

Substantive Deficiencies

- The number of untimely pickups for service provided in Philadelphia is excessive.
- The reservations policy for next-day service during peak periods ultimately leads to some pickups being offered more than one hour from initial request times.
- The standard for what constitutes a long trip is improper; trip length is not analyzed; based on analysis of sample trips, there may be substantial numbers of excessively long trips and a pattern and practice of trips with excessive trip lengths.
- Reservation line hold times at the beginning and end of each day are excessive.

Please see Section 6 for a discussion of all 22 deficiencies. The Summary Table of Compliance Review Findings (following Section 6) lists all findings. Unless otherwise stated, SEPTA must address all deficiencies within 60 days of receipt of this report.

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1 General Information

This chapter provides basic information concerning this SEPTA compliance review. Information on SEPTA, the review team, and the dates of the review are presented below.

Grant Recipient:	Southeastern Pennsylvania Transportation Authority
City/State:	Philadelphia, Pennsylvania
Grantee Number:	30019
Executive Official:	Jeffrey D. Knueppel, General Manager
On-site Liaison:	Jaime Martinez, Director of Administration and Finance, CCT
Report Prepared By:	the Collaborative, Inc.
Dates of On-Site Visit:	June 18–22, 2018
Review Team Members:	Bill Schwartz, the Collaborative, Inc. David Chia, the Collaborative, Inc. Russell Thatcher, Thatcher Consulting LLC

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2 Jurisdiction and Authorities

Public entities that operate fixed route transportation services for the general public are required by the U.S. Department of Transportation (DOT) regulations implementing the Americans with Disabilities Act of 1990 (ADA) to provide ADA complementary paratransit service for persons who, because of their disability, are unable to use the fixed route system. These regulations (49 CFR Parts 27, 37, 38, and 39) include eligibility requirements and service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations required that ADA complementary paratransit service met these criteria by January 26, 1997.

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the ADA and the DOT regulations implementing the ADA.

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3 Purpose and Objectives

This chapter discusses the purpose and objectives of an FTA ADA complementary paratransit compliance review and the review process.

3.1 Purpose

Pursuant to 49 CFR §§ 27.19 and 27.123, as part of its oversight efforts, the FTA, through its Office of Civil Rights, conducts periodic reviews of fixed route transit and ADA complementary paratransit services operated by its grantees. Compliance with all applicable requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101–12213) including the DOT’s ADA regulations is a condition of eligibility for receiving Federal financial assistance.

3.2 Objectives

The primary objective of this paratransit review is to verify whether a public operator of a fixed route transit system that benefits from FTA funding is meeting its obligations under the ADA to provide paratransit as a complement to its fixed route service. This review examines the policies, procedures and operations of SETPA’s CCT Connect paratransit service concerning service provision, including origin to destination service; eligibility, including the process used to determine who is eligible for the service; receiving and resolving complaints; and meeting the ADA complementary paratransit service criteria as specified in 49 CFR § 37.131.

The review team observed dispatch, reservations and scheduling operations and independently analyzed service statistics, basic service records, and operating documents. FTA solicited comments from eligible riders and from local disability organizations.

This report will summarize findings and advisory comments. Findings of deficiency require corrective action and/or additional reporting. Advisory comments are statements detailing recommended or suggested changes to policy or practice to ensure effective practices under the ADA.

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4 Introduction to SEPTA

The Southeastern Pennsylvania Transportation Authority (SEPTA) provides public transportation in Philadelphia, Bucks, Chester, Delaware, and Montgomery Counties in Pennsylvania. SEPTA's administrative offices are located at 1234 Market Street, Philadelphia. SEPTA has an 10-member board that includes one member from each of the five counties, one member appointed by the governor, two members appointed by the state senate, and two members appointed by the state house.

In fiscal year (FY) 2016, SEPTA's operating budget was \$1.3 billion, and its capital budget was \$546.3 million. The largest source of funds for both operating (47.9 percent) and capital expenses (56.2 percent) was state assistance.

SEPTA's fixed route service includes local bus, rapid rail, light rail, trolley bus, and commuter rail. In FY 2017, SEPTA's fixed route ridership was 306 million passenger trips. SEPTA directly operates fixed route service, with the exception of five bus routes.



For more information on SEPTA services, go to www.septa.org

4.1 Complementary Paratransit Services and Organizational Structure

SEPTA provided approximately 1 million trips in FY 2017 through its CCT Connect complementary paratransit system. Table 4.1 presents ridership statistics for 2015–2018 as well as the percent change in ridership from the prior year.

Table 4.1 – CCT Connect ADA Paratransit Ridership

Fiscal Year	Trips	Annual Change
2015	1,013,758	--
2016	1,030,234	1.6%
2017	1,007,431	-2.2%
2018 (10 months)	903,800	-7.0% *

* compared to prior 10-month period

In Philadelphia, SEPTA also operates the state's shared ride program (SRP), available to all senior citizens (65 and older). The SRP is incorporated into CCT Connect.

SEPTA contracts with private entities to operate paratransit service: four primarily serve Philadelphia and one each for the four suburban counties. Table 4.2 lists the primary service areas and the carriers.

Table 4.2 – SEPTA Paratransit Carriers

Service Area	Carrier
Philadelphia	Easton Coach First Transit MV Transportation Total Transit
Bucks County	Easton Coach
Chester County	Krapf's Coach
Delaware County	Community Transit
Montgomery County	First Transit

The private carriers:

- Provide drivers
- Train drivers to proficiency (SEPTA provides new driver familiarization)
- Maintain vehicles

SEPTA also contracts with Edens Staffing to operate the reservations lines and the control center (“where’s my ride?”) lines.

SEPTA:

- Monitors service performance
- Makes eligibility determinations
- Schedules trips
- Dispatches vehicles
- Trains drivers (jointly with carriers)

SEPTA owns its 460-vehicle fleet including small ambulatory buses (12 passenger capacity), small accessible buses (wheelchair capacity of three, ambulatory capacity of two) and high capacity small accessible buses (wheelchair capacity of five, ambulatory capacity of nine).

5 Scope and Methodology

The purpose of this review is to provide FTA with a tool for determining whether a public operator of a fixed route system is in compliance with the complementary paratransit requirements under DOT ADA regulations. However, the deficiencies identified, and findings made in this report are by necessity limited to the information available to and the observations made by the review team at the time of the site visit. A lack of findings in a particular review area does not constitute endorsement or approval of an entity's specific policies, procedures or operations; instead, it simply indicates that no deficiencies in the delivery of service were observed at the time of the site visit.

The scope of the review and the methodology employed by the review team is described in greater detail below.

5.1 Scope

The review focused on whether the SEPTA complementary paratransit service operates according to the service criteria specified in 49 CFR § 37.131 of the DOT ADA regulations, and without capacity constraints prohibited under 49 CFR § 37.131(f). The review examined the paratransit service area, response time, fares, and hours and days of service, as well as SEPTA's policies, standards and procedures for monitoring service provision, including on-time performance, on-board travel time, telephone hold times, and avoiding trip denials and missed trips. The review seeks to ascertain whether service is being provided to eligible individuals within at least the minimum required service area on a next-day basis, during the same hours and days as the fixed route system, for not more than twice the fixed route fare for the same trip; whether there are patterns or practices that result in a substantial number of trip limits, trip denials, untimely pickups, and/or trips of excessive length; policies which cause riders to arrive late to appointments; or long telephone hold times, as defined by the transit agency's established standards (or typical practices if standards do not exist).

Overall, the complementary paratransit compliance review included the following regulatory requirements:

- Complaint resolution and compliance information (49 CFR §§ 27.13(b), 27.121(b), and 37.17)
- Nondiscrimination (49 CFR. § 37.5)
- Service under contract (49 CFR § 37.23)
- Requirement for comparable complementary paratransit service (49 CFR § 37.121)
- ADA paratransit eligibility: Standards (49 CFR § 37.123)
- ADA paratransit eligibility: Process (49 CFR § 37.125) including whether:
 - Information is made available in accessible formats upon request
 - A decision is made within 21 days or presumptive eligibility is granted pending a decision
 - There is written notification of all decisions
 - All denials or conditional eligibility determinations are completed in writing with specific reasons for the decision
 - There is an administrative appeals process for denials and conditional eligibility determinations
- Reasonable policies for suspending service to eligible riders who establish a pattern or practice of missing trips
- Complementary paratransit service for visitors (49 CFR § 37.127)
- Types of service (49 CFR § 37.129)

- Service criteria for complementary paratransit (49 CFR § 37.131) including:
 - Service area
 - Response time
 - Fares
 - Trip purpose restrictions
 - Hours and days of service
 - Capacity constraints
- Subscription service (49 CFR § 37.133)
- Training requirements (49 CFR § 37.173)

5.2 Methodology

FTA's Office of Civil Rights sent a notification letter on May 1, 2018, to SEPTA General Manager Jeff Kneuppel requesting him to send information to the review team before the site visit. See Attachment A.

Prior to the on-site visit, the review team examined the following service information:

- The structure of SEPTA complementary paratransit service
- Public information describing the complementary paratransit service
- SEPTA's standards and goals for on-time performance, trip denials, missed trips, complementary paratransit trip length, on-time performance, and telephone hold times

As requested by FTA, SEPTA made additional information available during the visit:

- Thirty-six months of service data, including the number of trips requested
- Records of consumer comments and complaints related to capacity issues, including trip denials, on-time performance, travel time, and telephone access
- Procedures for addressing rider complaints and other incident reports
- Complaint recordkeeping processes
- A fleet roster of paratransit vehicles
- A listing of complementary paratransit drivers and their start dates
- Operating budgets, capital spending plans, and cost data

The SEPTA complementary paratransit service site visit took place from June 18–22, 2018. The visit began with an opening conference, held at 9 a.m. on June 18 at the SEPTA administrative office, 1234 Market Street, Philadelphia. Attending the conference were:

- Scott Sauer, Assistant General Manager, Operations, SEPTA
- Jaime Martinez, Director of Administration and Finance, CCT, SEPTA
- Francis Brandis, Director of Service Operations, CCT, SEPTA
- Juanita Lancit, Assistant Director of Transportation, CCT, SEPTA
- Rick Krajewski, Director of Program Eligibility & Regulatory Compliance, CCT, SEPTA
- Chris Schukin, Manager of Contract Compliance, CCT, SEPTA
- Cassandra West, Manager, Program Eligibility and Regulatory Compliance, CCT, SEPTA
- June Smith, Manager of Paratransit Schedules/Reservations, CCT, SEPTA
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Bill Schwartz, Review Team Leader, the Collaborative, Inc.

- David Chia, Review Team Member, the Collaborative, Inc.
- Russell Thatcher, Review Team Member, Thatcher Consulting LLC

Following the opening conference, the review team met with SEPTA managers to discuss the requested information and SEPTA complementary paratransit policies and procedures, including service criteria, coordination, and subscription service. The review team selected the sample week for detailed data analysis (May 6–12, 2018). In the afternoon, two team members observed reservationists accepting trip requests. Another team member began the review of SEPTA’s eligibility determination process.

On June 19, one team member visited Community Transit in Eddystone, PA, the contractor based in Delaware County. In the afternoon, he visited First Transit in Conshohocken, PA, the contractor based in Montgomery County. At each contractor site, he interviewed the project manager, the training manager, and 4–6 drivers. The other team members met with the CCT schedulers and with the SEPTA staff who review trips coded as passenger no-shows. Team members also reviewed sample eligibility files and began analysis of sample data to generate an independent determination of on-time performance.

On June 20, two team members visited First Transit and MV Transportation, two of the contractors based in Philadelphia. Another team member observed reservationists accepting trip requests. Team members continued their analysis of SEPTA policies and data from the sample week. They also met with SEPTA staff to discuss contractor monitoring procedures and discussed policies and procedures for identifying and suspending riders for disruptive behavior.

On June 21, one team member visited Total Transit, one of the Philadelphia-contractors. One team member visited the SEPTA’s Accessible Transportation Center at 15 N. 16th Street (adjacent to Suburban Station), where eligibility assessments take place. Team members again observed reservationists accepting trip requests. Team members also viewed CCT dispatchers at the CCT Control Center. Team members analyzed long trips; reviewed telephone hold data from the sample week; and met with SEPTA staff to understand the complaint intake and response process.

On June 22, the review team analyzed and tabulated the various data. They prepared for the exit conference, which took place at 1 p.m. at the SEPTA offices, 1234 Market Street. Attending the conference were:

- Scott Sauer, Assistant General Manager, Operations, SEPTA
- Jaime Martinez, Director of Administration and Finance, CCT, SEPTA
- Francis Brandis, Director of Service Operations, CCT, SEPTA
- Rick Krajewski, Director of Program Eligibility & Regulatory Compliance, CCT, SEPTA
- Chris Schukin, Manager of Contract Compliance, CCT, SEPTA
- Cassandra West, Manager, Program Eligibility and Regulatory Compliance, CCT, SEPTA
- June Smith, Manager of Paratransit Schedules/Reservations, CCT, SEPTA
- John Day, Program Manager for Policy and Technical Assistance, FTA (via telephone)
- Lynn Bailey, Regional Civil Rights Officer, FTA Region 3 (via telephone)
- Bill Schwartz, Review Team Leader, the Collaborative, Inc.
- David Chia, Review Team Member, the Collaborative, Inc.
- Russell Thatcher, Review Team Member, Thatcher Consulting LLC

FTA provided SEPTA with a draft copy of the report for review and response. See Attachment B for SEPTA’s correspondence documenting its response to the draft report.

5.3 Stakeholder Interviews

Before the site visit, the review team interviewed seven complementary paratransit riders and two representatives of agencies that work with paratransit riders. The following is a summary of comments received:

Eligibility. The riders interviewed had no concerns with the eligibility process. Two individuals with conditional eligibility also use fixed route buses and trains. They never had a paratransit trip request turned down due to their condition.

Telephone access. Several riders said that it is best to call as soon as the phone lines open (7 a.m. on weekdays). One rider said that Mondays, Wednesdays, and the beginning of the month are busiest times (citing hold times of 45 minutes). Another rider said that Friday is the busiest day. One rider said that he has gotten busy signals. Two riders specifically cited long hold times for the “where’s my ride?” line.

Reservations, denials, and wait lists. No riders mentioned being placed on a wait list when requesting a trip. All riders knew that SEPTA may negotiate pickup times. One rider said that weekdays 7–9 a.m. is the hardest time to get a trip (“8:30 is particularly bad”). One rider claimed that he has been offered trips greater than 60 minutes from the requested time, often by as much as 90 minutes.

On-time performance. All but one rider and agency staff cited late pickups as a concern. The estimated proportion of late trips ranged from 20 to 50 percent to “very often.” One said his trips were rarely late. Four riders mentioned they inform drivers when they have appointments; one said that some drivers try to take that into account, but others said drivers follow their manifests. One rider says she does not rely on CCT if she has an appointment.

Travel times. Five of the nine interviews cited long travel times (and another rider said that she stopped using CCT for trips that she believed would have long travel times). One rider said that some trips were much longer than direct driving time, even if there were no other pickups or drop-offs.

Drivers. Most riders said that their drivers were courteous and provided assistance as requested. Two interviews cited specific issues with driver training: one rider said that drivers were not consistent in proper securement of wheelchairs. An agency director believes that drivers are not properly trained to handle riders with dementia or Alzheimer’s.

Most riders believe that their drivers know the CCT service area. Some riders said that the newer drivers tend to be less knowledgeable. Nearly all riders noted that most drivers rely on GPS.

Resolving complaints. A majority of riders who complained to SEPTA about CCT service were satisfied with the replies from SEPTA. One rider said that she got satisfactory replies regarding scheduling and reservations, but not for a driver complaint.

6 Findings and Advisory Comments

This chapter details the findings for each of the areas pertinent to the regulations found in 49 CFR Parts 27, 37 and 38 outlined in the Scope and Methodology section above. For each area, an overview of the relevant regulations and a discussion of the regulations as they apply to SEPTA complementary paratransit service is provided, with corrective actions and a timetable to correct deficiencies for each of the requirements and sub-requirements where necessary.

Findings are expressed in terms of “deficiency” or “no deficiency.” Findings of deficiency denote policies or practices found to be not in compliance with DOT ADA regulations or matters for which FTA requires additional reporting to determine whether an ADA compliance issue exists.

Findings of deficiency always require corrective action and/or additional reporting, and will always be expressed as:

- A statement concerning the policy or practice in question at the time of the review
- A statement concerning the DOT ADA requirements being violated or potentially being violated
- A statement concerning the required corrective action to resolve the issue

Advisory comments are statements detailing recommended or suggested changes to policies or practices to ensure effective practices under the ADA or otherwise assist the entity in achieving or maintaining compliance.

6.1 Comparable Complementary Paratransit Service

Requirement: Under 49 CFR § 37.121, transit agencies operating a fixed route system must provide complementary paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

Discussion: During this compliance review, no deficiencies were found with the requirement. SEPTA operates CCT Connect to meet its obligations for ADA complementary paratransit service.

6.2 Paratransit Eligibility Process

Absence of Administrative Burdens

Requirement: Under 49 CFR § 37.125, transit agencies must establish an eligibility process for complementary paratransit. The process may not impose unreasonable administrative burdens on applicants, and, since it is part of the entity’s nondiscrimination obligations under § 37.5(d), may not involve “user fees” or application fees to the applicant.

Discussion: During this compliance review, no deficiencies were found with the requirement to not impose unreasonable administrative burdens on applicants.

Individuals interested in ADA paratransit eligibility contact SEPTA by phone to initiate the process. During this call, SEPTA provides basic information about ADA paratransit eligibility and collects some initial information about disability. SEPTA mails application packets that include:

- Instructions for completing the process
- A six-page application form to be completed by the applicant that requests general information (name, address, etc.), whether the applicant travels with a PCA, current modes of transportation, types of disabilities or health conditions, types of mobility aids used, and information about functional abilities related to use of fixed route services. The application also requests a release of information that allows SEPTA to contact named professionals, and a certification regarding the accuracy of the information provided

- A six-page form to be completed by a treating professional. This form requests a verification of the claimed disability(ies), mobility aids used, functional abilities, and effects of medications on travel abilities.
- A one-page photo ID form that requests a “headshot” photo for identification purposes
- A one-page voter registration form that asks if the applicant is registered to vote and, if not, if they would like to register. SEPTA’s eligibility coordinator indicated that this form is required by state law

SEPTA is eligible to receive state assistance for ADA paratransit services provided to seniors and asks all applicants 60 years of age or older to provide proof of age.

Application packets are not available online and can only be requested by phone and received by mail.

SEPTA accepts verification of disability from a wide variety of treating professionals.

While proof of age and a photo is requested, SEPTA accepts and processes applications even if this information is not initially provided; applicants can bring identification with them to the in-person interview.

SEPTA requires all new applicants to participate in an in-person interview and one or more functional assessments as appropriate. SEPTA provides transportation to the interview, as needed, at no charge. The review team evaluated the assessment protocols and forms, observed them in use, and found them to be appropriate, valid tools for assessing functional abilities related to independent travel in the community.

Paratransit Eligibility Standards

Requirements: Under 49 CFR § 37.123(e)(1)–(3), a transit agency’s eligibility processes, application materials and public information must be comprehensive enough to permit the transit agency to determine that the following individuals are ADA paratransit eligible:

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

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 accessible to and usable by individuals with disabilities

Any individual with a disability who has a specific impairment-related condition that prevents the individual from traveling to a boarding location or from a disembarking location

Discussion: During this compliance review, no deficiencies were found with the requirement to make eligibility determinations in accordance with the regulatory criteria. An advisory comment is made regarding how SEPTA documents whether applicants use of a PCA.

The review team examined public information on ADA paratransit eligibility described on the CCT Connect page of SEPTA’s website. This included sections titled “Eligibility Requirements,” “ADA Paratransit Service,” and “Frequently Asked Questions.” The review team also examined the 68-page CCT Eligibility Procedures Manual, as well as application forms, and forms for interviews and functional assessments. They interviewed SEPTA eligibility staff and observed interviews and assessments. They also reviewed data and statistics on application processing and outcomes. Finally, the review team randomly selected 34 determination files for detailed examination of eligibility decisions.

Eligibility Process

SEPTA's eligibility process for new applicants includes an application form, verification of disability and functional ability by a professional familiar with the applicant, an in-person interview, one or more functional assessments as needed, and follow-up, as necessary, with identified professionals.

The eligibility determination process is completely in-house. SEPTA staff includes:

- Eligibility manager who manages the overall process
- Eligibility clerk who send out and logs in application forms, schedules interviews and arranges transportation as needed
- Two occupational therapists (OTs) and two certified occupational therapy assistants (COTAs) who conduct interviews and functional assessments
- Four evaluators who review all information provided and completed, make final determinations of eligibility, and draft letters of determination

SEPTA has a close working relationship with the Occupational Therapy Department at Temple University. This relationship has benefited both SEPTA and Temple. University staff have assisted with developing and improving the interview and functional assessment processes. Graduate students from Temple also assist with the process, working under the supervision of the certified OTs.

SEPTA's Accessible Transportation Center (ATC) includes space and props for interviews and functional assessments. The ATC also houses staff that conduct travel training; the travel training program is fully integrated with the eligibility determination process.

As indicated in the "Absence of Administrative Burdens" section of this report, individuals must call CCT Connect Customer Service during normal business hours to request an application packet and initiate the eligibility process.

SEPTA reviews paper applications for completeness and only returns them to applicants if the required professional verification portion of the application is missing or unsigned. SEPTA obtains other missing applicant information during the in-person interview.

SEPTA creates new applicant records in its paratransit software system for each application received. SEPTA's eligibility evaluators then review the applications and decide if an in-person interview is required and what types of functional assessments are needed. SEPTA then calls applicants to schedule interviews and functional assessments and to arrange transportation as needed. SEPTA provides needed transportation via CCT Connect.

SEPTA makes at least two attempts on different days to reach an applicant. If unsuccessful, SEPTA sends a letter to the applicant asking him/her to call the eligibility office to schedule the interview. The letter notes that the process is considered incomplete until an interview is conducted. If an applicant does not respond within one week, SEPTA sends a follow-up letter indicating that the process is incomplete and will remain so until an in-person interview is conducted.

After SEPTA makes contact with the applicant, it sends a confirmation letter summarizing important information about the interview and assessments. The letters tell applicants to come with the mobility device(s) they typically use when traveling in the community and dressed to participate in an outdoor walk.

If an applicant cancels or no-shows scheduled interview appointments and does not call to reschedule, staff send a letter noting the missed appointment, inviting the applicant to call to reschedule, and indicating that the process will be considered incomplete until an interview is conducted.

At the interview, an OT or COTA interviews the applicant. The OTs and COTAs have access to basic information about the applicant's disability and mobility aids used. To ensure that they independently

gather and discuss all relevant issues, OTs and COTAs are not given the full application form, but instead complete an appropriate interview form. SEPTA uses more than one form for applicants with multiple disabilities. SEPTA has created separate forms that are used to interview:

- Applicants who have physical disabilities and are ambulatory
- Applicants who have physical disabilities and use wheelchairs
- Applicants with cognitive disabilities
- Applicants with psychiatric disabilities
- Applicants with vision disabilities

Staff complete the functional assessments requested by the evaluators, based on a review of the paper application form. They also have the discretion to add additional assessments or forego requested assessments based on the results of the interview. SEPTA uses several different types of assessments, including:

- Physical functional assessments
- Cognitive assessments using the Functional Assessment of Cognitive Transportation Skills (FACTS) test developed by Easter Seals Project ACTION
- Assessment of memory using the Mini Mental Status Exam (MMSE)
- Assessments of anxiety using the Becks Anxiety Inventory
- Assessments of depression using the Mood Scale

Before conducting physical functional assessments, the OTs/COTAs record blood pressure, pulse and blood oxygen level. They take a second set of readings at the end of the assessment to help determine level of effort and endurance. SEPTA assesses balance and gait and risk of falling at the outset.

The indoor portion of the physical functional assessment includes navigating a mock-up of a curb and entering and exiting a mock-up of a ramp-equipped low-floor SEPTA fixed route bus, including getting to and using seats and/or securement areas. The assessment then involves navigation through Suburban Station to an elevator, and an outdoor walk of up to four blocks (1,760 feet) that includes two street crossings. The OT/COTA times progress along the course observes the applicant's fatigue, pace, gait, rest breaks, navigation and street crossing skills. In the case of inclement weather, the applicant takes an extended walk around the station in place of the outdoor walk.

SEPTA's OTs and COTAs complete and submit all interview and assessment forms and include a summary professional opinion on abilities and possible conditions of eligibility. SEPTA's evaluators then review this information—generally within one business day—and contact the OT or COTA who conducted the interview/assessments with any questions. Evaluators can also follow up with professionals or applicants identify if there is conflicting information between what the applicants and professionals indicate and what the OTs/COTAs observe. The evaluators then consider all information gathered and make a final eligibility determination. They draft and send determination letters and enter eligibility information into the paratransit software.

Eligible Riders, Application Volume, and Certification Outcomes

As of June 18, 2018, SEPTA had 11,316 individuals registered as ADA paratransit eligible. This number is somewhat low for the population of the service area (3.82 million residents). The likely explanation is that some senior citizens who might otherwise apply for ADA paratransit eligibility only use the Pennsylvania Shared Ride Program. SEPTA provides eligibility for both services when requested and appropriate, but some seniors apply only for the SRP service.

According to the registered rider database, 6,978 (52 percent) were unconditionally eligible, 3,507 (31 percent) were conditionally eligible, and 580 (5 percent) had temporary eligibility. The remaining 251

registered riders (2 percent) were visitors (74) and individuals granted presumptive eligibility (177) while eligibility decisions were being made.

To compare recent outcomes to the full database of riders, the review team examined determinations made between July 1, 2017 and May 31, 2018. As shown in Table 6.1, SEPTA received 2,833 applications in the 11-month period, an average of 257 per month. In some cases, decisions were not made, including 584 (21.4 percent) in process or incomplete, and 24 (0.8 percent) withdrawn. For the remaining 2,225 applications, determination outcomes were 1,336 unconditional (60 percent), 720 conditional (32.4 percent), 93 temporary (4.2 percent), and 27 ineligible (1.2 percent). There were also 49 visitors (2.2 percent). These proportions are consistent with total rider database—which suggests that outcomes have been similar for most recent five years. The numbers are also similar to outcomes reported by systems that are described in the national literature as having thorough and accurate processes.

Table 6.1 – SEPTA Eligibility Determination Outcomes, July 1, 2017 through May 31, 2018

	Number	Percent	
		Total Applications	Decisions Made
Total Applications Received	2,833	100%	
Incomplete/In process	584	20.6%	
Withdrawn	24	0.8%	
Complete/Decisions Made	2,225	78.5%	100%
Unconditional	1,336		60.0%
Conditional	720		32.4%
Temporary	93		4.2%
Not Eligible	27		1.2%
Visitors	49		2.2%

Examination of Sample Eligibility Decisions

To assess whether determinations correctly applied the regulatory criteria for eligibility, the review team examined a sample of 34 applicant files for determinations made in FY 2018. This included eight determinations where applicants were found to be not eligible, 10 determinations of conditional eligibility, 10 determinations of unconditional eligibility, and six determinations that were appealed.

The information in the sample files supported determinations in 33 of the 34 cases. In one case (Applicant #744515), information from the interview and functional assessments suggested a determination of conditional eligibility and the OT that conducted the interview and assessments recommended conditional eligibility. Documentation from the treating professional also suggested that some level of eligibility was appropriate. There was no documentation in the file explaining why the evaluator found the person not eligible. On second review, the evaluator agreed that the applicant was conditionally eligible. The eligibility manager and the evaluator determined that a clerical error had most likely been made.

With respect to PCAs, in six of the 10 cases where applicants were found unconditionally eligible, the determination letters indicated that the applicant did not require a PCA. Documentation in the files indicated, though, that independent travel was not always possible, and that the applicants often received travel assistance by a family member or fellow traveler. This included:

- Applicant who had a moderate to severe intellectual disability and scored only five out of a possible 144 on the FACTS test
- Applicant with dementia who “requires 24/7 care,” according to the treating professional
- Applicant who was legally blind and used a walker and could not independently wayfind in the community

In each case, it seemed clear that someone acting as an attendant was often traveling with these riders; however, SEPTA records indicated that they did not need a PCA. For these applicants, it is likely the applicants did not fully understand the question about needing and traveling with a PCA, and

consequently did not indicate so in the application form. To avoid such a mistake, it would be helpful to discuss this topic with the applicant during the interview process.

Advisory Comment: It is an effective practice to clarify the definition of an attendant and the current and future need for PCAs as part of the in-person interview. It is possible that applicants could benefit from attendant services but may misunderstand the question in the application form.

Accessible Information

Requirement: Under 49 CFR § 37.125(b), transit agencies must make all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility available in accessible formats, either as a rule or upon request.

Discussion: During this compliance review, no deficiencies were found with the requirement to provide accessible eligibility information or with how the SEPTA communicates the availability of materials in accessible formats to applicants and potential applicants.

The review team examined SEPTA's public information materials, website information, and ADA paratransit eligibility materials. The website clearly indicates that information is available in accessible formats. The first sentence on the "CCT Connect" page, which is the location for all ADA paratransit information, states "All documents are available in accessible format upon request. Please contact CCT Customer Service at 215-580-7145."

The availability of assistance with information is also noted on the "Accessibility" page of SEPTA's website, under "Assisting Customers Who Are Blind or Visually Impaired": "If you require assistance or information at any time, please do not hesitate to ask SEPTA personnel, use our website, or email, write, or telephone Customer Service."

Customer service personnel are trained to provide information in accessible formats upon request. Online information about the CCT Connect service, including the main service brochure, is also readily available in large print. Links are provided to information in standard print, large print English, and large print Spanish formats.

The CCT Connect eligibility application form also asks applicants if they need information in an alternate accessible format. For such instances, SEPTA enters the required format into its software. Once entered, all future communications with the applicant/rider such as determination letters, service notices, no-show letters, etc., are provided in the requested format.

Eligibility Determinations or Presumptive Eligibility Within 21 Days

Requirement: Under 49 CFR § 37.125(c), a transit agency that has not made a written eligibility determination by the 21st day following submission of a complete application must treat the applicant as eligible on the 22nd day and provide service until and unless the transit agency denies the application. Transit agencies that require functional assessments must schedule such assessments within a reasonable period of time (7–10 days). The transit agency's process must communicate to applicants the right to this presumptive eligibility, so they are aware of their rights to schedule and use the service beginning on the 22nd day.

Discussion: During this compliance review, no deficiencies were found with the requirement to have a presumptive eligibility process in place and/or make an eligibility determination within 21 days of receipt of a complete application. The review team noted that the eligibility determination process often takes much more than 21 days to complete, particularly for new applicants who are required to participate in in-person interviews, but that SEPTA grants and clearly communicates presumptive eligibility to all applicants.

The review team examined sections of SEPTA's SOPs (Eligibility Procedures Manual), as well as public information and communications with applicants, pertaining to the timely processing of applications. The

review team also interviewed the eligibility clerk about the scheduling of in-person interviews and documented the processing time for a 34-file sample of actual determinations.

SEPTA communicates processing time and presumptive eligibility to all applicants. Upon receipt of a completed application, staff prepare and send a letter that acknowledges receipt of the application. The letter notes the date on which SEPTA received the application and informs the applicant that he/she may be contacted about participating in an interview and assessment. The letter includes the following language:

You will be notified in writing whether or not you are eligible for ADA complementary paratransit service within 21 days of SEPTA CCT receiving all requested information including:

- Your application
- Your professional's feedback
- Your completed functional assessment or interview

If you are currently registered with CCT Connect, you will continue to ride under your current eligibility, provided your eligibility status is still active. If you do not receive an eligibility determination 21 days from the date your application was received, you will be presumed eligible for paratransit service until a determination can be made.

At first glance, this language is somewhat confusing in terms of the start of the 21 days. The first sentence and following bullets suggest that SEPTA will make a determination within 21 days of receiving all information, including a completed functional assessment or interview. The second paragraph states that the 21 days starts on the date of receipt of the application, which is noted in the acknowledgement letter. SEPTA staff indicated that it is their policy to start the 21-day clock on receipt of a completed paper application. The goal is to complete all parts of the process, including the interviews and assessments, within 21 days of paper application receipt. Staff noted that a "complete" paper application includes information required from verifying professionals.

Once staff determine that an application form is complete, they enter a "presumptive eligibility date" into the software that is 21 days after the receipt of the application. On that date, the rider becomes active in the system and can schedule trips by simply calling the trip reservation number.

To get a sense of actual processing time, the review team tabulated key dates from the 34 sample files. Key dates included:

- Receipt of a completed application form
- In-person interview and/or functional assessments were conducted (if applicable)
- Mailing of determination letter

The analysis also tracked other important information, such as notes indicating problems reaching applicants to schedule interviews, or cancellations and no-shows of initial appointments. The data indicates that processing was very timely when determinations were based solely on the completed paper applications—such as for recertification of unconditional riders. Table 6.2 shows processing times for the 13 sample files decided in this way. SEPTA made all of these determinations within eight days; seven determinations were made on the same day or within one day, and average processing time was only three days.

Table 6.2 – Processing Time for 13 Sample Determinations Based Solely On Completed Application Forms

Processing Time (Days)	Number	Percent
same day	3	23%
1 day	4	31%
2 days	1	8%
3 days	2	15%
4 days	0	0%
5 days	0	0%
6 days	1	8%
7 days	1	8%
8 days	1	8%
Total	13	100%
Mean	2.5 days	
Median	1 day	

Data from the sample files indicated that processing time was significantly longer for determinations that required interviews and/or assessments. Table 6.3 shows the mean, median, and range of elapsed times for each part of the process and total processing time for the 21 sample files that required interviews and/or assessments. Seventeen of the 21 applicant files cited extenuating circumstances, such as an inability to reach the applicant to schedule, no response from the applicant after sending letters, or applicants' no-showing of initial interview appointments. For those 17 applications, on average, it took 53 days from the date when completed applications were received to the date when interviews/assessments took place. In the four cases where applicants were reached without problem, interviews were scheduled in 14-21 days. The eligibility clerk confirmed that she can offer appointments within two to three weeks.

Table 6.3 – Processing Time for 21 Sample Determinations that Required In-Person Interviews and/or Assessments

21 files	Elapsed Days: Receipt of Completed Application to Interview/Assessment	Elapsed Days: Interview/Assessment to Final Determination	Total Processing Days
Mean	53	7	60
Median	41	6	47
Range	14–157	0–22	14–163

On average, SEPTA made final determinations seven days after the completion of interviews/assessments. This ranged from zero to 22 days, with only one case requiring more than 21 days.

Written Eligibility Determinations Including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations

Requirements: Under 49 CFR § 37.125(d), determinations of eligibility must be made in writing. The documentation must include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant (PCA). Under § 37.125(e), if applicants are found to be ineligible, the determination must state the specific reasons for the decision (a mere statement that the applicant has been found to be ineligible is not sufficient). If an individual has been determined to be conditionally or temporarily eligible, the determination must state the conditions under which eligibility is granted and the basis for that determination. Information concerning the applicant's right to appeal under § 37.125(g) must also be provided.

Discussion: During this compliance review, deficiencies were found with certain aspects of SEPTA's written eligibility determinations. No deficiencies were found with how SEPTA explains applicants' right to appeal or with the explanations provided when applicants are found ineligible.

The review team examined several sample determination letters for each type of determination. Letters conveying unconditional eligibility, including unconditional temporary eligibility, were on agency letterhead (clearly indicating the agency name), and included the applicant's name and an expiration date. Letters conveying conditional eligibility also included detailed descriptions of the conditions under which the rider was eligible for service.

Letters noting ineligibility, conditional eligibility, or temporary eligibility all included information about the right to appeal. The appeal policy and the form to request an appeal is attached to each of these letters. See Attachment C.

Letters finding applicants ineligible contain detailed explanations of the decision. Each description is tailored to the specific information or observations that led to the decision. Letters conveying conditional or temporary eligibility did not, however, include adequate explanations for the decisions. These letters include the general lead-in phrase, "Based on the information provided in your application, from the professionals you submitted, and/or your functional assessment, SEPTA has determined that..." without specific reasons.

Letters conveying some level of eligibility (unconditional, conditional, temporary) also do not include any information about travel with a PCA. Evaluators ask applicants and record whether they travel with a PCA, which ultimately becomes part of the rider file enabling PCA travel with no additional fare. If the file does not indicate travel with a PCA, the person accompanying the rider must pay a companion fare. If PCA use is subsequently indicated, SEPTA's customer service team works with riders to obtain the information needed to revise the rider record.

Some of the conditions of eligibility included in determination letters (see Attachment D) are specific and measurable, while others are broad and general. For example, the "extreme heat and extreme cold" conditions set exact temperature values. The "personal/physical limitations" condition is general, stating "when you are only able to ambulate short distances; can only stand or short durations; or propel yourself in your manual wheelchair short distances." The exact distances that riders can be expected to walk, such as one block or three blocks, is not indicated.

SEPTA allows riders with these general conditions to self-declare trip eligibility. When reservationists see that the rider requesting a trip is conditionally eligible, they are trained to ask why the rider cannot use fixed route service for the trip. Riders with the "personal/physical limitations" condition only need to say that they cannot walk to or from bus stops and the trip request is accepted.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must revise its eligibility determination letters that grant conditional or temporary eligibility to state the specific reasons for such determinations. SEPTA must also begin to include information in the letters about whether a rider may travel with a PCA.

Recertification of Eligibility at Reasonable Intervals

Requirement: Under 49 CFR § 37.125(f), transit agencies are permitted to require paratransit riders to recertify eligibility at reasonable intervals. As stated in Appendix D, a reasonable interval would be between one and three years.

Discussion: During this compliance review, no deficiencies were found with the recertification process or with how SEPTA communicates recertification of eligibility to applicants.

SEPTA provides full eligibility for between three and five years. Within this range, SEPTA provides longer eligibility to riders whose functional abilities are not likely to change significantly over time.

SEPTA typically provides temporary eligibility for a period of between six weeks and one year, depending on information provided about treatment plans and prognoses.

SEPTA notifies riders by mail 60 days prior to the expiration of eligibility and includes a new application packet with the notice. Eligibility continues and does not lapse as long as applicants return a new application form and start the process prior to the expiration date.

SEPTA recertifies many riders who participated in interviews and functional assessments when first certified, particularly those who are unconditionally eligible. SEPTA's eligibility evaluators compare the information in the new application to information in the previous application. If a rider's disability and functional abilities have not changed significantly and if the rider is using the same mobility aids, SEPTA recertifies without another in-person interview.

Administrative Appeal Process for Denials or Decisions Granting Conditional or Temporary Eligibility

Requirements: Under 49 CFR § 37.125(g), transit agencies must have a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. Transit agencies are permitted to require written notice, within 60 days of its written decision denying or limiting eligibility that the applicant wishes to exercise his or her right to an appeal hearing. Transit agencies cannot require the "filing of a written appeal."

The appeal process must include an opportunity for the applicant to be heard and to present information and arguments, with appropriate separation of function (i.e., a decision by a person not involved with the initial decision to deny eligibility). Appeal decisions must be provided in writing and explain the reasons for denying the appeal. The appeal hearing must be scheduled within a reasonable amount of time, and if a decision has not been made within 30 days of the completion of the appeal process, the appellant must be provided complementary paratransit service from that time until and unless a decision to deny the appeal is issued, as required.

Discussion: During this compliance review, no deficiencies were found with the regulatory requirements regarding appeals. An advisory comment is provided regarding the selection of individuals to hear appeals. An advisory comment is also provided regarding consideration of functional assessment observations versus information from treating professionals for applicants with psychiatric disabilities.

The review team examined SEPTA's appeal policies, as well as letters of determination that limited eligibility or found applicants not eligible. The review team also interviewed the SEPTA staff person who managed the appeal process and reviewed appeal process data and outcomes. Finally, the review team reviewed six application files that involved appeals.

SEPTA's eligibility policies regarding appeals are summarized in a document titled "You Have the Right to Appeal" See Attachment C. SEPTA attaches this document to all determination letters for which SEPTA makes a determination of conditional eligibility, temporary eligibility, or not eligible. The letters explain that applicants have the right to appeal if they do not agree with the determination and refer applicants to the attached document for instructions on how to appeal.

In compliance with regulatory requirements, SEPTA's appeal policy indicates that:

- SEPTA accepts eligibility appeals up to 60 days after the initial determination
- Applicants may appeal either in writing or in person
- Appeal decisions will be made in 30 days and if a decision is not made within 30 days, SEPTA will provide paratransit service until a decision is made

To request an appeal, applicants must complete and return a notice of appeal form. If an applicant is not able to complete the form, the applicant may call CCT Customer Service for assistance with completing the form over the phone.

The notice of appeal form requests name, address, telephone number, and CCT Connect ID number (if the applicant is an eligible rider). It then asks the applicant to indicate if they would like to appeal in person or in writing. If in writing, the form asks applicants the reason for their appeal, encourages them to attach additional documentation supporting their appeal, and explains that the appeal decision will be based on information already gathered during the process, plus information provided in or attached to the form. If the applicant requests an in-person appeal, the form explains that SEPTA will contact the applicant to arrange a hearing and asks them to indicate if they will be represented at the hearing by an attorney or advocate.

For each appeal, SEPTA designates a hearing officer to listen to and decide the appeal. Five individuals are available to serve as hearing officers; none are SEPTA employees. One is an attorney; one works for a hospital; one works for a visiting nurse association; one works for a healthcare recruiting company; and one is a board member of a family services agency. SEPTA staff noted that all five had completed the Comprehensive ADA Paratransit Eligibility course offered by the National Transit Institute.

Table 6.4 presents appeal process data for the first 10 months of FY 2018 (July 2017-April 2018). During this period, SEPTA heard 22 appeals: nine from applicants who had been denied eligibility and 13 from applicants who had been found conditionally eligible. During this same period, SEPTA made 25 determinations that found applicants not eligible. This yields an appeal rate for not eligible findings of 36 percent. Also, during this same period, SEPTA made 629 total determinations that found applicants conditionally eligible. This yields an appeal rate for conditional findings of two percent.

Table 6.4 – Appeal Hearing Data and Outcomes: July 2017 – April 2018

	Number	Percent of Total
Total Appeal Hearings	22	
Decisions Changed/Overturned	7	32%
Denied to Unconditional	1	5%
Denied to Unconditional	0	0%
Conditional to Unconditional	6	27%
Decisions Upheld	15	68%
Denied	8	36%
Conditional	7	32%

Most appeals upheld decisions that found applicants not eligible. Eight of the nine appeals upheld not eligible decisions, while one resulted in a change from denied to unconditional. Appeals involving riders initially found conditionally eligible were split, with seven upholding the initial determination and six changing eligibility to unconditional.

Overall, appeals during the 10-month period examined upheld initial determinations 68 percent of the time and overturned or changed initial determinations 32 percent of the time.

The review team examined six appeals of the 22 received in FY 2018. In five of the six cases, the information in the file supported the appeal decisions. In one case, the appeal decision appeared questionable. In this case (Applicant #737053), the applicant was appealing an initial determination of not eligible. The applicant's file indicated a psychiatric disability (schizoaffective disorder with hallucinations). SEPTA completed the Becks Anxiety Inventory as part of the functional assessment process, with the applicant scoring 19, a low level of anxiety. The OT's summary notes indicated that the applicant responded well throughout the interview and assessment and no anxiety was observed when the applicant was navigating through Suburban Station. The professional verification information indicated that the condition was "partially controlled" by medication.

The applicant appealed in writing and provided additional documentation of functional ability from a treating psychiatrist. The professional stated in part:

...knowing (the applicant) for as long as I have, I can say with certainty that his mood and mental state could change quite drastically, making it impossible for him to utilize public transportation... my concern is that even at times when he seems less anxious, unforeseen situations that he may be presented with by using public transportation may trigger a severe anxiety response with unpredictable behavior.

In the summary of the appeal, the hearing officer acknowledged the additional information from the treating professional but based the decision on the results of the Becks test and on the fact that the applicant's condition was partially controlled by medication. In essence, the decision gave more weight to the observations made in the limited functional assessment than to the detailed information provided by a professional with a much longer history with the applicant.

All six examined files included documentation of SEPTA providing the appellants with a written decision. All six letters also contained detailed reasons for the decision that included the key information that influenced the decision.

The review team also examined the timelines in each file to determine if appeals were arranged and heard in a timely way. In five cases, appeals were heard between seven and 22 days after requests were received, and the average time to arrange a hearing was 16 days. In one case, the hearing took place 50 days after the request was received, but there was documentation in the file of that explained delays beyond SEPTA's control in arranging an in-person hearing.

In all six cases, appeal decisions were made in fewer than 30 days. The time required to make decisions ranged from 16 to 24 days and averaged 21 days.

Advisory Comments: It is an effective practice to select individuals for the appeal process that have a high level of education and experience in assessing functional abilities of persons with disabilities. Some transit agencies develop agreements with a variety of professionals, such as psychiatrists, certified physical and occupational therapists, orientation and mobility specialists, and clinical social workers and then select the most appropriate professional for each hearing based on primary disability.

It is also an effective practice to consider and properly weigh documentation from treating professionals when making determinations for applicants with disabilities that are difficult to assess with limited observations and functional assessments. This includes applicants with psychiatric disabilities, vision disabilities, and seizure conditions. The full effects of these disabilities may not manifest during interviews and assessments. It is an effective practice to train evaluators as well as hearing officers to understand the limitations of assessments in these cases and the value of information from professionals who have a more long-standing history with the applicants.

Complementary Paratransit for Visitors

Requirements: Under 49 CFR § 37.127(d)–(e), complementary paratransit service must be made available to visitors not residing in the jurisdiction(s) served by a transit agency for any combination of 21 days during any 365-day period, beginning with the visitor's first use of the service during the 365-day period. Transit agencies must treat as eligible all visitors who present information that they are eligible for complementary paratransit service in the jurisdiction in which they reside; for those who do not present such documentation, transit agencies may require documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability. In no case may transit agencies require visitors to apply for or receive eligibility certification for their own complementary paratransit service before providing service to eligible visitors.

Discussion: During this compliance review, deficiencies were found with the requirement to make paratransit service available to individuals meeting the definition of a visitor. Deficiencies were also found with the way that SEPTA publicizes its visitor eligibility policy.

SEPTA includes information about service to visitors on the “CCT Connect” page on its website. The section titled “Visitor Information” states:

If you live outside of SEPTA's service area and are a person with a disability that prevents you from using a regular bus, you are eligible for 21 days of ADA paratransit service. Please complete and return the Visitor's Registration form and the required proof of eligibility...

The website also includes a detailed description of the visitor eligibility policy and the form that applicants must be complete, which states:

Visitors may qualify for 21 days of service on SEPTA CCT Connect by completing the enclosed visitor registration form and sending it along with:

- a copy of their ADA paratransit eligibility card from the city in which they are registered, or
- a copy of their proof of residency to confirm that they live outside our five (5) county SEPTA service area – Philadelphia, Bucks, Chester, Delaware and Montgomery Counties), AND a letter from a physician or social service agency explaining why their disability prevents them from using accessible buses.

Visitors moving to Southeastern Pennsylvania or planning to stay in the area should request an ADA transit application since visitor riding privileges expire after 21 days of use and cannot be renewed...

[emphasis added]

Both the shorter and the more detailed information indicate that visitors are eligible to receive “21 days of service.” No mention is made that the 21 days of service are within a 365-day period. The more detailed information also states that the 21 days of service “cannot be renewed.”

The more detailed information also indicates that if visitors do not have eligibility from another entity (“city”), they must provide proof of residency and a letter from a physician or social service agency explaining why their disability prevents them from using accessible buses. The regulations allow transit agencies to require proof of residency, but only allow agencies to request additional documentation if the visitor’s disability is not apparent. If the visitor’s disability is apparent, SEPTA cannot require additional documentation. SEPTA must accept the visitor’s certification that they are unable to use fixed route transit.

SEPTA provides service to visitors even if a letter from a physician or social service agency is not provided. SEPTA also noted they process visitors without a completed form if the visitor calls and can provide all of the information requested. Staff also indicated that service to visitors is usually provided within one business day, and a maximum of two business days.

A review of the current SEPTA CCT Connect rider file indicated that there were 72 active visitors in the system at the time of the review.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must provide visitor status and service to individuals not certified by other transit agencies but who have apparent disabilities without requiring additional documentation of disability or functional ability. SEPTA must also revise its public information regarding visitors to clarify that 21 days of service is available each 365-day period. SEPTA must accept a certification by visitors that they are unable to use fixed route transit.

6.3 Types of Service

Requirement: Under 49 CFR § 37.129(a), transit agencies must provide complementary paratransit service on an origin-to-destination-basis. Transit agencies may determine, through their local planning process, whether to establish either door-to-door or curb-to-curb service as the basic mode of

complementary paratransit service. Where the local planning process establishes curb-to-curb service as the basic complementary paratransit service mode, however, provision must still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin-to-destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

Discussion: During this review, no deficiencies were found with SEPTA policies and practices to provide complementary paratransit service on an origin-to destination-basis.

The base level of CCT service is door-to-door. SEPTA's CCT brochure states "...This door-to-door service is provided in accordance with the American with Disabilities Act (ADA), to registered customers, by advance reservation." Review team interviews with drivers confirmed this is SEPTA policy. Pre-visit rider interviews indicated that drivers provided door-to-door service to all riders.

6.4 Service Criteria for Complementary Paratransit

Requirement: As codified in 42 U.S.C. 12143, the ADA directed the Secretary of Transportation to issue regulations that establish minimum service criteria for determining the level of service provided by paratransit as a complement to fixed route service. These criteria are contained in 49 CFR § 37.131 and include service area, response time, fares, and hours and days of service, and prohibit restrictions on trip purpose and capacity constraints that limit the availability of service to eligible individuals. The review team assessed the SEPTA complementary paratransit system using these criteria as described in this section.

Service Area

Requirement: Under 49 CFR § 37.131(a)(1), all public entities operating a fixed route transit system must provide complementary paratransit service that covers, at a minimum, all areas within a 3/4-mile radius of all of its bus routes, and within a "core service area" that includes any small areas that may be more than 3/4-mile from a bus route but are otherwise surrounded by served corridors. This includes any areas that cross political boundaries or taxing jurisdictions but are within a 3/4-mile radius of a fixed route, unless the transit agency does not have the legal authority to operate in those areas. For transit agencies operating a light rail or rapid rail transit service, the complementary paratransit service area must also include a 3/4-mile radius around each station, with service provided from points within the service area of one station to points within the service area of another.

Discussion: During this compliance review, deficiencies were found with SEPTA's paratransit service area.

Complementary paratransit service is available to all destinations in Philadelphia. Outside of Philadelphia, CCT Connect generally serves destinations within 3/4-mile of its bus routes and rail stations (not including commuter rail stations if no bus route or other rail station is within 3/4-mile).

SEPTA staff work with its Service Planning team and its software vendor to update the paratransit service area to account for geographic or schedule changes in fixed route service.

SEPTA does not provide complementary paratransit service in the following areas its bus routes serve:

- Route #127 has its northern terminus in Trenton, New Jersey. There is no SEPTA paratransit service to any New Jersey address within 3/4-mile of this route
- Route #113 has its southern terminus at Tri-State Mall in Claymont, Delaware. SEPTA paratransit serves the mall, but it does not serve any other Delaware addresses within 3/4-mile of this route
- Route #93 has its northern terminus in Pottstown, PA. As described on the Route 93 schedule, local service is not provided on most trips between Pottstown and High Street and Rupert Road,

but is available on Pottstown Area Rapid Transit (PART). Between those points, Route 93 will pick up passengers on trips “to Norristown Transportation Center” only and drop off on trips “to Pottstown” only. SEPTA does not have comparable paratransit service for this portion of the route

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must adjust its service area such that all areas within 3/4-mile of all bus routes and 3/4-mile of all SEPTA light and rapid rail stations receive complementary paratransit service.

Response Time

Requirement: Under 49 CFR § 37.131(b), transit agencies must schedule and provide complementary paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day, including during times comparable to normal business hours on a day when the offices are not open before a service day. Reservations may be taken by reservation agents or by mechanical means. Under 49 CFR § 37.131(b)(2), while transit agencies may negotiate the pickup time with a caller prior to a trip being scheduled, they cannot require a rider to schedule trips to begin more than one hour before or after the rider’s desired departure time. Any greater deviation would exceed the bounds of comparability. Negotiations should take into account riders’ practical constraints. Transit agencies must have policies and procedures in place to ensure that schedulers and dispatchers do not adjust a rider’s negotiated pickup time or pickup window without the rider’s consent.

Under 49 CFR § 37.131(b)(4), if transit agencies propose to change their reservations system, they must comply with the public participation requirements equivalent to those of § 37.137 (b)–(c). Transit agencies may permit reservations to be made up to 14 days in advance of an eligible individual’s desired trips, subject to the same trip negotiation requirements as next-day trips required under § 37.131(b)(2).

Discussion: During this compliance review, deficiencies were found with SEPTA’s trip negotiation process. Deficiencies were also found with the next-day service requirements. No deficiencies were found with reservations hours. An advisory comment is offered regarding accepting riders’ requests for drop-off (appointment) times.

Reservationists and their direct supervisors work for a contractor, Edens Staffing. In turn, SEPTA’s manager of paratransit schedules/reservations oversees contractor performance. The review team observed reservationists taking 48 calls during three listening sessions covering 81 paratransit trips. The reservationists also took calls for trip cancellations, trip confirmations, and for shared-ride program trip requests.

The review team also examined written policies and procedures and discussed these policies and procedures with SEPTA managers.

SEPTA accepts trips requests one to three days before travel. It accepts trip requests every day, including holidays. On weekdays, riders may call from 7 a.m. to 4 p.m. On Saturday and Sunday, riders may call from 7:30 a.m. to 4 p.m.

As discussed below in Hours and Days of Service, SEPTA offers paratransit service 24 hours a day in Philadelphia and other parts of the service area. However, SEPTA does not accept next-day trip requests for pickups earlier than 3:30 a.m. It considers 12:01-3:29 a.m. as part of the previous day. For example, Friday, 1 a.m. is considered part of the Thursday service day—so if a rider were to call on a Thursday for a trip at 1 a.m., SEPTA would not accommodate this request.

A rider may reserve a trip by providing a requested pickup time, but not a requested drop-off time. When a caller asks for a drop-off time, the reservationist does not suggest a corresponding appropriate pickup time but instead instructs the rider to ask for a pickup time. In addition, reservationists do not enter caller-

provided appointment time information into the software, so schedulers, dispatchers, or drivers do not have such information.

Next-Day Trips

When a rider calls to request a trip for two or three days in advance, the reservationist enters the requested time into the paratransit software, searches for a time among the options the software suggests and offers a time as close as possible to the requested time. If a rider calls to request a next-day trip, the reservationist does not enter the requested time into the paratransit software but consults a chart SEPTA has developed that indicates what time to offer (negotiate) based on the requested time. For trips requested outside of peak periods, the requested time is the offered time (or very close) and within one hour before or after the requested time.

For next-day trips requested during peak service hours (7–9:30 a.m. and 1:30–4:15 p.m.), the chart directs the reservationist to offer pre-set pickup times, all of which are up to 60 minutes before or after the requested time but not both. For example, if a caller requests a next-day pickup for 8:15 a.m., the standard offer is 7:15 a.m.; if the next-day request is for 8:30 a.m., the standard offer is 9:15 a.m. Review team members observed this practice.

For all negotiations, the reservationist offers only one time in response to the caller's initial request. If the caller turns down this offer, the reservationist may ask the caller if he/she would like to make a second request. However, according to SEPTA policy, the second request must be at least one hour different from the initial request. For example, if there is an 8:30 next-day request and first offer of 9:15 is unacceptable to the rider, the rider may only then request 7:30 or earlier or 9:30 or later. If the second request is within SEPTA's peak hours, the next offered time is also tied to the chart.

This overall procedure can lead to improper negotiations that neither account for the rider's practical constraints nor comply with the response time requirements. A team member observed the following negotiation for a next-day trip between a rider and a CCT reservationist:

1. Rider requested pickup time: 3:00 p.m.
2. Reservationist offer: 2:10 p.m.
3. Rider turned down offer
4. Reservationist said rider may make second request, either one hour earlier or later
5. Rider's second request: 4:00 p.m.
6. Reservationist's offer: 4:45 p.m.
7. Rider accepted second offer
8. Negotiated pickup time: 4:45 p.m.

The rider in question was returning home from an agency appointment, so the initial offer of 2:10 p.m. in response to a 3 p.m. request was too early. The rider's second request was 4 p.m. (based on SEPTA requirement to be at least 60 minutes different from the initial request). For the 4 p.m. request, the reservationist's offer was 4:45 p.m. While this accommodated the rider's travel needs, the negotiated time was 1:45 different from the initial 3 p.m. request. This does not comply with the requirement for SEPTA to schedule a trip within one hour of the rider's initially requested time.

When SEPTA is unable to identify a scheduling solution during a reservations call, it may accept the trip request and confirm the requested time with the rider, then schedule the trip later. Transit agencies that use this approach refer to these trips as "confirmed but unscheduled."

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must change its policies and practices so that it accepts all trips for next-day service, including trips that occur after midnight.

SEPTA must also change its policies and practices for negotiating trip requests so that it does not offer pickup times greater than one hour different from the rider's initially requested time. Its pickup negotiations should also account for riders' practical constraints.

Advisory Comment: It is an effective practice to allow riders to make a trip request via a drop-off (appointment) time. When a rider provides a drop-off time, it is up to the transit agency to offer an appropriate pickup time to meet that drop-off time, subject to travel time and other service quality issues.

Fares

Requirement: Under 49 CFR § 37.131(c), complementary paratransit fares must be no more than twice the fixed route fares for the same trip at the same time of day on the fixed route system, excluding discounts. Transit agencies must allow eligible riders to travel with at least one companion (with additional companions accommodated on a space-available basis). If personal care attendants (PCAs) accompany riders, transit agencies must provide service to one companion in addition to the PCA. Companions may be charged the same fare as the eligible rider; no fare may be charged for a PCA.

Discussion: During this compliance review, deficiencies were found with SEPTA's complementary paratransit fare policy.

SEPTA's base fare for all bus routes and local rail (not commuter rail) is \$2.50. SEPTA charges a \$1.00 fare for each transfer, meaning the fare for one-way trips with one transfer is \$3.50; for two transfers, the fare is \$4.50. There is no transfer fare between the Broad Street and Market-Frankford rail lines.

The base fare for ADA paratransit service is \$4.25. If the paratransit rider is transferring to or from the fixed route, SEPTA charges only for the fixed route leg of the trip, with no additional fare for the paratransit leg. The paratransit fare may be greater than \$4.25 under the following scenarios:

- Additional \$1.00 for a trip that crosses a county boundary and travels more than three miles into the destination county (total fare is \$5.25)
- Additional \$1.00 for a trip within Bucks, Chester, Delaware, or Montgomery Counties that exceeds 10 miles (total fare is \$5.25)
- If a trip meets both of these conditions, the total fare is \$6.25

There are numerous potential paratransit trips that cross county boundaries and travel more than three miles into the destination county for which the comparable fixed route trip would not require a transfer. In these scenarios, the paratransit fare would be \$5.25, while the fare for the comparable fixed route trip would be \$2.50, making the paratransit fare more than twice the fixed route fare. Two examples follow:

- 1 King of Prussia Mall (Montgomery County) to Spring City (Chester County)
 - Paratransit fare = \$5.25
 - Fixed route fare (bus route #139) = \$2.50
- 2 69th Street Terminal (Delaware County) to further Philadelphia stations along Market-Frankford Line (MFL)
 - Paratransit fare = \$5.25
 - Fixed route fare (MFL) = \$2.50

Consistent with the requirements, PCAs travel free. SEPTA charges companions the rider fare.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must revise its fare structure so that paratransit riders pay no more than twice the fixed route fare for comparable trips.

No Trip Purpose Restrictions

Requirement: Under 49 CFR § 37.131(d), there can be no restrictions or priorities based on trip purpose. When a user reserves a trip, the entity will need to know the origin, destination, time of travel, and how

many people are traveling. The entity does not need to know why the person is traveling and should not even ask.

Discussion: During this compliance review, no deficiencies were found with this requirement. On the SEPTA website, the CCT Frequently Asked Questions states, “there are no restrictions on trip purpose or frequency of travel.” The review team observed reservationists asking callers about their trip purpose and recording this information in the paratransit software. However, trip purpose played no role in accepting or scheduling trips. In addition, SEPTA managers stated they do not review trip purpose information, compile it, or report it.

Hours and Days of Service

Requirement: Section 37.131(e) of the DOT ADA regulations requires that the complementary paratransit service be available during the same hours and days as the fixed route service. This means that if a trip can be taken between two points on a transit agency’s fixed route system at a specific time of day, it must also be able to be taken on complementary paratransit. It also means that the service area may change depending upon the time of day or day of the week, when certain routes or areas may not be served. This requirement applies on a route-by-route basis. For example, an area that has fixed route bus service on weekdays but not weekends must have complementary paratransit service (provide trips) on weekdays but not necessarily on weekends; an area that has bus service from 5 a.m. until 9 p.m. must have complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

Discussion: During this compliance review, no deficiencies were found with this requirement. In Philadelphia, SEPTA provides daily ADA paratransit service at all hours and to all destinations. In the four suburban counties, ADA paratransit service is available during days and hours that mirror the days and hours during which SEPTA fixed route service (bus or rail, excluding commuter rail) operates.

Absence of Capacity Constraints

Requirement: Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following: restrictions on the number of trips an individual will be provided; waiting lists for access to the service; or any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include but are not limited to: substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths.

No Restrictions on the Number of Trips Provided to ADA Paratransit Eligible Individuals

Requirement: Under 49 CFR § 37.131(f)(1), transit agencies may not impose restrictions on the number of trips provided to ADA paratransit eligible riders.

Discussion: During this compliance review no deficiencies were found with this requirement. As noted in the No Trip Purpose Restrictions section of this report, the SEPTA website states (in CCT Frequently Asked Questions), “there are no restrictions on trip purpose or frequency of travel.”

No Waiting List for Access to the Service

Requirement: Under 49 CFR § 37.131(f)(2), transit agencies are prohibited from establishing policies or engaging in practices and/or procedures that establish waiting list(s) for accessing the service.¹

¹ Under § 37.133(c), waiting lists may only be established for participation in subscription service that may be offered as part of the transit agency’s complementary paratransit system.

Discussion: During this compliance review, no deficiencies were found with the prohibition against establishing waiting lists. During telephone interviews prior to the site visit, no rider or individual who worked with riders reported any waiting lists. In addition, the review team saw no evidence of wait lists when observing the CCT reservations process.

No Substantial Numbers of Significantly Untimely Pickups for Initial or Return Trips

Requirement: Under 49 CFR § 37.131(f)(3)(i)(a), transit agencies must provide complementary paratransit service without any substantial numbers of significantly untimely pickups for initial or return trips.

Discussion: During this compliance review, deficiencies were found with the requirement that complementary paratransit service be provided without a substantial number of untimely pickups. No deficiencies were found with SEPTA's on-time pickup performance standard or with how SEPTA monitors on-time pickup performance.

Based on the existing contracts for both suburban and Philadelphia carriers, SEPTA's performance standard for on-time pickup performance is that 90 percent of completed trips must be picked up within or prior to the window, which is 10 minutes prior to the negotiated pickup time to 20 minutes after the negotiated pickup time (-10/+20).

The review team analyzed reconciled trip data for completed ADA paratransit trips during the week of May 6–12, 2018 and tabulated on-time performance for Philadelphia and suburban trips. The analysis separately considered contractors based in Philadelphia and contractors based in the suburban counties. Note that two of SEPTA's current Philadelphia carriers began their respective contracts in late May 2018 and were not the carriers operating during the sample week. Easton Coach had taken over some service provided by MV Transportation; Total Transit had replaced Edens.

The review team compared the scheduled pickup time with the recorded arrival time. Table 6.5 presents a summary of performance for the carriers based in Philadelphia.

Table 6.5 – On-Time Pickup Performance for 12,755 Philadelphia ADA Trips: May 6–12, 2018

Pickups	All Trips	
	Number	Percent
>30 minutes late	522	4.1%
16-30 mins late	544	4.3%
1-15 mins late	1,098	8.6%
In window (-10/+20)	7,331	57.5%
1-15 mins early	2,215	17.4%
16-30 mins early	609	4.8%
>30 mins early	436	3.4%
All early or in window	10,591	83.0%

In Philadelphia, 83 percent of the trips were on time or early. This means 17 percent were late, a substantial number of untimely pickups. No Philadelphia contractor met SEPTA's standard. On-time performance ranged from 87.6 percent (MV Contract 1) to 80.2 percent (First Transit). Of all late pickups, 4.1 percent were more than 30 minutes late. Table 6.6 shows the breakdown of late and very late pickups by carrier.

Table 6.6 – Late Pickups for Philadelphia Carriers: May 6–12, 2018

Carrier	Percent Late	Percent Very late (> 30 mins)
Edens	18.3%	4.4%
First Transit	19.8%	5.1%
MV (Contract 1)	12.4%	2.9%
MV (Contract 2)	16.0%	3.4%
All Carriers	17.0%	4.1%

On-time performance in the suburban service area was 93.0 percent, exceeding SEPTA’s standard. See Table 6.7. Of all late pickups, just 0.8 percent were more than 30 minutes late. Among the four suburban contractors, on-time performance ranged from 90.8 percent (Krapf’s Coach, Chester County) to 96.9 percent (Easton Coach, Bucks County).

Table 6.7 – On-Time Pickup Performance for 3,696 Suburban ADA Trips: May 6-12, 2018

Pickups	All Trips	
	Number	Percent
>30 minutes late	28	0.8%
16-30 mins late	48	1.3%
1-15 mins late	184	5.0%
In window (-10/+20)	2,713	73.4%
1-15 mins early	576	15.6%
16-30 mins early	105	2.8%
>30 mins early	42	1.1%
All early or in window	3,436	93.0%

Corrective Actions and Schedule: Within 60 days of the issuance of the final report, SEPTA must take steps to improve on-time pickup performance, particularly for contractors that primarily serve Philadelphia.

No Substantial Numbers of Trip Denials or Missed Trips

Requirements: Under 49 CFR § 37.131(f)(3)(i)(b), transit agencies must provide complementary paratransit service without substantial numbers of trip denials or transit agency missed trips. A denial occurs whenever a transit agency is unable to provide a trip on a next-day basis as requested by an eligible passenger between points within the complementary paratransit service area, at a time when the fixed route system is operating, subject to the limitations on trip time negotiation. Under 49 CFR § 37.131(b), transit agencies may negotiate pickup times with a passenger, but cannot require the passenger to schedule a trip to begin more than one hour before or after his or her desired departure time. If the trip cannot be arranged within this timeframe, a denial has occurred whether or not the passenger accepts a departure time of more than one hour earlier or later. In addition, when a denied trip makes a subsequent requested trip impossible, as could occur in the case of an individual taking a round trip to and from a specific location, two trips have been denied.

Discussion: During this compliance review, deficiencies were found with the requirement that ADA paratransit service be provided without substantial numbers of trip denials. Deficiencies were also found with SEPTA’s monitoring of denials, and with SEPTA’s definition of a missed trip. No deficiencies were found with the requirement to provide ADA paratransit service without substantial numbers of missed trips. An advisory comment is offered concerning expanding SEPTA’s process for verifying no-shows.

Denials

SEPTA’s pre-visit information included the statement, “SEPTA has a zero-denial policy. All trips are negotiated to a time within one hour of the request time.” As discussed in Response Time, the review

team observed CCT reservationists taking trip requests on three occasions. While reservationists did not explicitly deny any trip requests, for at least two of these requests, the negotiated trip time was more than one hour different from the initially requested trip time.

Two of the 81 trips reserved during review team observations violated the one-hour trip negotiation requirement. Although the callers ultimately accepted trip offers during second requests, because they were more than one hour from the times initially requested, such instances constitute trip denials.

Furthermore, SEPTA does not track instances when the offered times lead to non-compliant trip negotiations (more than one hour before or after the requested time).

Missed Trips – Definition and Performance

SEPTA's definition of a missed trip (carrier no-show) is: "Willfully and knowingly failing to pick up a scheduled rider; if an Operator refuses to provide a trip placed on a tour in 'Revenue service.'" SEPTA may assess a liquidated damage of \$250 for each occurrence. This definition, however, does not account for missed trips that may occur if the:

- Vehicle arrives after the end of the pickup window and the rider refuses the trip or is no longer at the pickup address
- Vehicle arrives before or during the pickup window, the rider is not present, and the driver fails to wait five minutes within the pickup window before leaving

SEPTA provided a report summarizing the number of missed trips by carrier—based on its definition—over a seven-month period (November 2017 to May 2018). The report shows 69 missed trips during the period: 64 by the Philadelphia carriers and five by the suburban carriers. One contractor (Edens, no longer operating for SEPTA) accounted for 36 of the missed trips, more than half, with 20 of the 36 taking place during April and May 2018 (its final two months).

Missed Trips – Verification

The SEPTA employee who manages the no-show suspension process generates a report at the end of each calendar month listing all riders potentially subject to suspension due to excessive no-shows and late cancellations. See Section 6.6 for a full discussion of no-show suspensions. She reviews each no-show and late cancellation associated with pending suspensions to confirm it was coded correctly. For no-shows, this includes checking the trip record to confirm vehicles were at the right location, were at the pickup address within the 30-minute window and waited the required five minutes within the window before departing.

For late cancellations, the verification process includes comparing the time the cancellation was recorded against the negotiated (scheduled) pickup time and, if close, checking the phone records to confirm the call was initially answered at least two hours in advance and that delays for being on hold did not affect the time record.

SEPTA estimated it changes up to 40 percent of the trips initially coded as passenger no-shows. SEPTA also verifies the no-show coding only for those riders who may be subject to suspension. SEPTA does not verify the no-show coding for other trips. As such, there is potential that the number of carrier missed trips is higher. See discussion of contractor monitoring in Section 6.10.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must:

- Track and record as denials all trip negotiations for which reservationists offer pickup times greater than one hour different from the requested pickup time—whether or not the caller accepts the offer, and if denials are found to be prevalent, limit or eliminate them
- Revise its definition of a missed trip (carrier no-show) to include all potential scenarios that comprise a missed trip

Advisory Comment: It is an effective practice to review all potential no-show charges, not just those for riders facing potential service suspensions. If this is not practical, it is also an effective practice to review a sample of potential no-shows. This analysis would lead to a more reliable count of rider no-shows and carrier missed trips.

No Substantial Numbers of Trips with Excessive Trip Lengths

Requirement: Under 49 CFR § 37.131(f)(3)(i)(c), transit agencies must provide complementary paratransit service without substantial numbers of trips with excessive trip lengths.

Comparability is based on the length of time required to make a similar trip between the same two points using the fixed route system, including time spent traveling to and from a boarding point and waiting for the fixed route vehicle to arrive. FTA recommends basing complementary paratransit travel time on the comparable fixed route travel time, plus 20–30 minutes to allow for a reasonable estimate of time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another.

Discussion: During this compliance review, deficiencies were found with the proportion of trips with excessive trip lengths and with SEPTA’s long-trip standard. Deficiencies were also found with SEPTA’s not monitoring trip lengths.

In pre-visit information, SEPTA set forth its definition of excessively long trip as: “Trips that exceed 1.5 times the length of the same trip when using fixed-route including time to the boarding location, transfers, and time from the disembarking location.”

Rather than using a fixed multiplier in the definition, FTA recommends basing complementary paratransit travel time on the comparable fixed route travel time, plus 20–30 minutes to allow for a reasonable estimate of time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another.

For fixed route trips greater than one hour, a standard of 1.5 times the fixed route travel time yields non-comparable paratransit travel times.

Furthermore, FTA encourages establishment and use of travel time performance standards, such as “at least x percent of complementary paratransit trips shall have travel times equal to or less than comparable fixed route travel times,” and expects transit agencies to closely monitor trip length performance. By monitoring and analyzing trip lengths, agencies can see service issues and, if necessary, make operational adjustments to improve performance.

Based on discussions with SEPTA, along with observations in the control center, SEPTA is not actively monitoring long trips to ensure compliance. SEPTA asks its dispatchers to use the software to regularly look for potential long trips during the day of service and to move such trips so that travel times are lower, but this is not always possible.

In Table 6.8, the sample week data shows the distribution of travel times for the Philadelphia and the suburban carriers: 20.1 and 14.2 percent of trips exceeded 60 minutes, respectively.

Table 6.8 – Distribution of Travel Times for ADA Paratransit Trips, May 6–12, 2018

Trip Length	Philadelphia	Suburban
< 60 minutes	79.9%	85.8%
61-90 minutes	14.6%	10.0%
91-120 minutes	4.3%	3.3%
120+ minutes	1.2%	0.8%
Total > 60 minutes	20.1%	14.2%

The review team analyzed a sample consisting of 25 Philadelphia-based trips between 90 and 120 minutes. The analysis compared the paratransit travel times with comparable fixed route bus trips at the

same time of day based on information Google's transit planner. Nine of the 25 paratransit trips (36 percent) were shorter or within 20 minutes of the comparable fixed route itineraries. Sixteen of the 25 paratransit trips (64 percent) had longer travel times, which indicates a potential capacity constraint.

In addition to prohibiting a substantial number of excessively long trips, the DOT ADA regulations prohibit a pattern of excessively long trips. The review team also looked at trips to common origins and destinations. Twelve of the 25 long trips had an origin or destination to a social service center and several had the same addresses and the same riders.

Finally, SEPTA's lack of long-trip monitoring means that such constraints are not being flagged in regular discussions of service. See Section 6.10.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must:

- Revise its standards for what constitutes an excessively long trip and a performance standard for excessively long trips
- Use the revised long trip standard to monitor in service to ensure trips are comparable to fixed route, with particular emphasis on very long trips
- Ensure that there is no pattern of excessively long trips for certain riders and/or destinations

No Operational Patterns or Practices Limiting the Availability of Service to ADA Paratransit Eligible Individuals

Telephone Hold Times

Requirement: Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments that may limit the availability of SEPTA paratransit service.

Discussion: During this compliance review, deficiencies were found with SEPTA's telephone performance for both its reservations lines and its control center ("where's my ride?") lines. An advisory comment is offered regarding improving hold time performance.

The information that SEPTA provided to the review team prior to the site visit included its standard for telephone performance: "Reservations and WMR calls must be answered within 90 seconds."

As mentioned in the discussion of Response Time, SEPTA's call-takers are contract employees. The contractor also provides the call-takers for the control center on weekdays from 6 a.m. to 6 p.m. At other days and times (the control center is open seven days, 24 hours a day), "where's my ride?" calls go directly to CCT dispatchers (SEPTA employees) in the control center.

SEPTA reservations managers and managers of control center telephone lines can monitor telephone performance in real time. They can also review system reports, which include key data in 15-minute increments (e.g., Monday, 7:00-7:15 a.m.), such as:

- Number of staff available to answer calls
- Number of incoming calls
- Average hold time
- Maximum hold time
- Percent of calls answered beyond the standard (90 seconds)

For the reservations line, there was consistently poor performance during the sample week for the first 60–75 minutes (starting at 7 a.m. on weekday, 7:30 a.m. on weekend days). The final 30–45 minutes of

each day (from 3:15 or 3:30 p.m. to 4 p.m.) also had consistently poor performance, though better than in the morning. Sunday and Monday were the poorest days.

On Sunday, 77.1 percent of calls were on hold for more than 90 seconds. Looking at 15-minute increments, 26 of 34 periods had more than half of their respective calls on hold for more than 90 seconds. On Monday, 73.5 percent of calls were on hold for more than 90 seconds; looking at 15-minute increments, 27 of 36 periods had more than half of their respective calls on hold for more than 90 seconds.

Telephone hold times on the “where’s my ride?” line were better than for reservations calls, but still had periods of long hold times. On most days, the highest number of calls occurred 8:30-10 a.m. Call volume during this late morning period was usually higher than the call volume during the afternoon peak. Thursday and Friday had lowest performance.

Corrective Actions and Schedule: Within 60 days of the issuance of the final report, SEPTA must:

- Provide sufficient capacity to promptly answer telephone calls during all service hours for its trip request lines

Advisory Comments: It is an effective practice for SEPTA and its contractor to review staffing for the reservationists and control center call-takers to better match staff assignments with call volumes. As part of this review, SEPTA and its contractor may also consider cross-training reservationists and control center call-takers so that they may be able to handle either function, as needed.

Untimely Drop-offs for Appointments

Requirement: Under 49 CFR § 37.131(f), transit agencies may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any operational patterns or practices that significantly limit availability of service to ADA paratransit eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments.

Discussion: During this compliance review, no deficiencies were found with this requirement. An advisory comment is made regarding recording and monitoring trips with known appointment times.

SEPTA schedules trips based on requested pickup times and not to appointment times. As such, trip records with appointment times were not available for review team analysis. Review team members observed instances when riders provided appointment times during the call. Reservationists did not record the information, even in the notes field containing information for drivers and dispatchers.

All travelers using a transportation provider to travel to a time-sensitive appointment want to have confidence in the provider’s reliability. This is also true for complementary paratransit. Frequently arriving late to appointments could discourage use of the service. As such, FTA considers a pattern or practice of untimely drop-offs for trips with stated appointment times as a capacity constraint. As in pickup performance, monitoring on-time performance for trips with requested drop-offs is necessary. If the analysis indicates a pattern of late drop-offs, agencies can then make appropriate operational changes.

Advisory Comment: It is an effective practice to record appointment times when riders provide this information during the reservations call. That way, transit agencies can provide this information to drivers and dispatchers and also monitor on-time performance to ensure riders arrive on time for trips with appointment times.

6.5 Subscription Service

Requirement: Under 49 CFR § 37.133, transit agencies are permitted (but not required) to provide subscription service (pre-arranged trips at a particular time not requiring individual trip reservations for

each trip). If provided, however, subscription service may not comprise more than 50 percent of the available trips at any given time unless the system is experiencing no capacity constraints.

Discussion: During this compliance review, no deficiencies were found with the requirements concerning the provision of subscription trips as part of the ADA paratransit program or with how SEPTA communicates this requirement to eligible riders and potential users.

SEPTA offers subscription service (standing orders) to paratransit riders. There is no minimum frequency required, and there is no restriction based on trip purpose. When a rider requests a new standing order, CCT schedulers review the request and determine if the standing order can fit within the existing capacity. SEPTA notifies the rider (within two weeks) if it approves the standing order request. If not, SEPTA suggests that the rider make the request again in a few months. In the meantime, the rider may request these trips as individual demand trips.

Owing to known capacity constraints (primarily on-time pickup performance), in the months prior to the site visit, SEPTA reduced the proportion of subscription trips at certain weekday hours when the proportion was above 50 percent. During FY 2018 (first 11 months), the proportion of standing orders exceeded 50 percent during one hour of the day: 54.5 percent from 3-4 p.m. on weekdays. During the sample week, the proportion during this hour was 51.7 percent.

6.6 Reasonable Policies for Proposed Service Suspensions for Missing Scheduled Trips and the Right to Appeal

Requirements: Section 37.125(h) of the DOT ADA regulations states that transit agencies “may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips.” FTA has permitted transit agencies to regard late cancellations as no-shows if and only if they have the same operational effect on the system as a no-show, generally within less than 1–2 hours of the scheduled trip time. If riders do not show up for the outgoing portions of round trips, transit agencies cannot automatically assume that the return trip is not needed.

Under 49 CFR § 37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit agency error, must not form a transit agency’s basis for determining that such a pattern or practice exists. The transit agency’s policies must therefore distinguish between no-shows that are within the rider’s control and those that are not and propose sanctions only on the basis of the former. In order to establish whether a rider has engaged in a pattern or practice of missing scheduled trips, the transit agency must also account for a passenger’s frequency of use. The appeal process required under § 37.125(g) must be available to an individual on whom sanctions have been imposed, and the sanction must be stayed pending the outcome of the appeal.

Discussion: During this compliance review, deficiencies were found with SEPTA’s no-show and late cancellation policy as well as with the process for appealing proposed suspensions of service.

The review team examined SEPTA’s no-show and late cancellation policy and procedures, including the definitions of no-shows and late cancellations, practices for recording and reviewing no-shows and late cancellations, letters used to notify riders of no-shows, late cancellations and proposed suspensions, how a pattern or practice of missing scheduled trips is defined and determined, the length of suspension, and the appeal process. The review team also interviewed the SEPTA staff person responsible for managing the process and examined records of no-show suspensions.

SEPTA’s policies and procedures are contained in “SEPTA Customized Community Transportation CCT Connect Service: Customer No-Show/Cancellation Policy.” See Attachment E. The policy was last revised effective September 1, 2017. The policy defines a no-show as “any occurrence where customer does not show up or cannot be located for a scheduled ride or declines to take the trip when driver arrives

at the door.” This definition does not indicate that to be a no-show, the vehicle must arrive within the pickup window (10 minutes before to 20 minutes after the negotiated pickup time) and that the vehicle must wait at least five minutes within this window. SEPTA considers these factors in practice, but this important distinction is not included in the formal policy.

The policy also defines a late cancellation as “any cancellation received by SEPTA CCT Connect Control Center/ (Dispatch) (in Chester County, carrier’s dispatch center) less than two (2) hours before requested pickup time.” In practice, SEPTA considers trips cancelled less than two hours before the negotiated pickup time to be late cancellations, but the policy cites the requested pickup time in error.

SEPTA assesses penalty points for each no-show and late cancellation. SEPTA assess one penalty point for a late cancellation and two penalty points for a no-show. SEPTA considers a rider to have a pattern or practice of missing scheduled trips when a rider meets two conditions:

1. Accumulates more than nine points in a calendar month
2. The total number of no-shows and late cancellations exceeds 20 percent of the rider’s scheduled trips that month

SEPTA’s policy uses the following progression of suspensions and penalties for initial and subsequent patterns or practices of missing scheduled trips:

- First violation: 14-day suspension and loss of any standing order (subscription trip) privileges
- Second violation within a rolling 180-day period: 30-day suspension and loss of standing order privileges

The policy also includes a third level of penalty: “longer terms of suspensions may be sought in the event of chronic violations.” While the policy may have been reviewed by the paratransit customer community, FTA considers suspensions beyond 30 days to be excessive and not within the regulatory provision permitting suspension “for a reasonable period of time.”

As described earlier in the report (No Substantial Numbers of Trip Denials or Missed Trips, SEPTA reviews each no-show and late cancellation for riders who appear to have accumulated nine points in a calendar month to ensure that it was coded correctly.

SEPTA sends a no-show suspension letter to all riders who have been assessed nine or more validated points. Each letter includes a detailed list of all verified no-shows and late cancellations and explains the right to appeal the proposed suspension.

SEPTA’s appeal policy has instructions on how to appeal. A rider must complete and submit a form to request an appeal. A rider may choose to appeal in person or in writing and is encouraged to include the reasons for the appeal and attach related documentation if appealing in writing. Riders who cannot complete the form due to disability can call CCT Customer Service and have the form completed over the phone.

SEPTA does not first verify the rider’s trip history to confirm if the total number of no-shows and late cancellations exceeded 20 percent of the rider’s scheduled trips that month. Instead, SEPTA checks the no-show/late cancellation frequency only if the rider appeals the proposed suspension. This is not consistent with SEPTA’s policy and is insufficient to ensure that only those riders that have established a pattern or practice of missing scheduled trips face suspension.

SEPTA’s appeal policy states all appeals are heard by individuals who were not involved in the initial decision to suspend service. SEPTA uses the same hearing officers for both eligibility and no-show suspension appeals.

For service suspension appeals, however, the same person verifying no-shows and issuing suspension letters also reviews appeal requests and sometimes upholds or changes the proposed suspension without arranging for a formal appeal involving the hearing officers.

SEPTA's Customer No-Show/Cancellation Policy (Section 1.A(1)) states, "trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists." However, the letters proposing suspensions do not contain this information.

Riders who wish to question potential no-shows or late cancellations may do so in writing through the appeal process or by contacting CCT Customer Service.

In FY 2018, SEPTA sent out an average of 20 suspension letters per month. About 17 proposed 14-day suspensions and three proposed longer suspensions—almost all for 30 days. One third-level suspension for longer than 30 days was proposed in FY 2018. SEPTA receives an average of seven appeal requests per month. Approximately five suspensions are overturned based on these appeals and about two per month are upheld. This yields an average of 15 riders who are suspended each month for violating the no-show/late cancellation policy.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must:

- Revise its customer no-show/cancellation policy to include proper definitions and procedures, such as what constitutes a late cancellation, and the required arrival and waiting time for CCT vehicles
- Revise its policy that presents the possibility of a service suspension greater than 30 days
- Begin to follow its own policies when identifying potential candidates for no-show suspensions (e.g., exceeding 20 percent of scheduled trips) and ensure information sent to riders inform them of the opportunity to challenge individual no-show/late cancellation determinations
- Provide separation of function for no-show suspensions by removing the individual who manages the initial determination of no-show suspensions from the appeal process. This includes re-examining no-shows and late cancellations that riders claim to be in error or beyond their control

Advisory Comment: It is an effective practice to provide riders with a warning before proposing suspensions. Some transit agencies issue a warning for the first violation of the policy and begin suspensions with the second violation. Some agencies also send warning letters when riders accumulate several no-shows/late cancellations and are approaching a number that could result in a suspension.

6.7 Complaint Resolution and Compliance Information

Requirements: Under 49 CFR §§ 27.13(a) and 37.17(a), the transit agency must designate at least one person to coordinate its efforts to comply with the nondiscrimination requirements contained in DOT ADA regulations.

Under 49 CFR §§ 27.13(b) and 37.17(b), the agency must adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints. This includes sufficiently advertising to the public the process for filing a complaint. Public advertising will typically include the agency's website. The complaint procedures must be accessible to and usable by individuals with disabilities. Finally, the agency must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response.

Under 49 CFR § 27.121(b), the agency must keep all complaints of noncompliance on file for one year and a record of all such complaints (which may be in summary form) for five years. Establishing these policies and procedures is the responsibility of the transit agency, not its contractors.

Discussion: During this compliance review, no deficiencies were found with SEPTA's complaint response procedures.

SEPTA has designated more than one staff member to coordinate its efforts to comply with the nondiscrimination requirements contained in DOT ADA regulations. SEPTA has a very thorough process for accepting, reviewing, and responding to rider complaints. SEPTA's website and other public information explain how to submit complaints. SEPTA accepts complaints via its website, as well as by e-mail, by telephone, in person, and in writing. The process is accessible to persons with disabilities.

SEPTA prioritizes ADA-related complaints by placing them into "open" status. For complaints that involve contractor staff or activities (this include the carriers, reservationists, and control center call-takers), SEPTA requires the contractors to investigate and provide appropriate information, including proposed action. SEPTA seeks to close all complaints and respond to the complainant within seven days. All ADA-related complaints (though not necessarily complaints that strictly pertain to operational issues, e.g., "my driver was late") receive a response. SEPTA keeps a record of each response.

At the time of the site visit, SEPTA's current software system for storing and analyzing complaints was five years old. SEPTA maintains detailed information for all complaints that it receives.

6.8 Nondiscrimination

Requirement: Under 49 CFR § 37.5, transit agencies are prohibited from discriminating against an individual with a disability in connection with the provision of transportation service, or deny any individual with a disability the opportunity to use the transportation services it provides to the general public. Discriminatory practices include and are not limited to requiring the use of alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating.

Discussion: During this compliance review, no deficiencies were found with SEPTA's procedures for service suspensions due to rider conduct. No deficiencies were found with SEPTA's public information or with policies related to alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities and requiring people with disabilities to use designated priority seating.

SEPTA applies its policies consistently between fixed route and paratransit service.

SEPTA ADA Paratransit/Fixed Route Illegal and Disruptive Behavior Policy

SEPTA has a set of policies and procedures (updated January 2018) for suspending riders for conducting illegal and/or disruptive behavior. SEPTA's "Disruptive Behavior/Direct Threat Policy" lists the following categories of disruptive behavior:

- Destruction of public property (the vehicle, and/or its furnishings; SEPTA facilities)
- Doing violence to others or to oneself
- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violating SEPTA's service animal policy by failing to control one's service animal
- Violating SEPTA operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct
- Other conduct judged by SEPTA to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or SEPTA personnel

The policy states that SEPTA must follow due process if it seeks to suspend a rider for disruptive behavior. This includes:

- Notifying the rider subject to suspension in writing

- Providing an in-person hearing in front of an appeals board independent of the SEPTA staff who made the initial decision
- Providing a written appeal decision

If a rider receives a suspension for “Level 1” disruptive behavior that is not violent or criminal (e.g., abusive language, smoking, littering), the first offense generates a warning letter. A second offense within two years leads to a 14-day suspension. A third offense within two years leads to a 30-day suspension.

“Level 2” disruptive behavior includes physical acts, verbal or sexual harassment, health-related conditions, “serious infractions of SEPTA operating rules,” or any criminal conduct. The first offense leads to a 30-day suspension. The second offense within five years may lead to a 60-day suspension.

Suspensions longer than 30 days are very rare. If a rider is subject to a suspension longer than 30 days, SEPTA informs the rider of the right to resume service if the rider provides documentation that the issue has been addressed.

6.9 Training Requirements

Requirement: Under 49 CFR § 37.173, each public or private entity which operates a fixed route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

Discussion: During this compliance review no deficiencies were found with the requirement to train personnel to proficiency as appropriate to their duties. No deficiencies were found with how SEPTA communicates, manages and/or oversees training requirements with staff or contractors. Advisory comments are made regarding training for understanding the pickup window and no-show procedures.

The review team interviewed training managers at SEPTA and at five contractor sites. The review team also interviewed over 25 drivers to assess whether they understood their responsibilities, particularly related to use of their vehicles and other equipment as well as their treatment of riders. Team members also reviewed training materials for reservationists, control center call-takers, and drivers.

SEPTA and its carriers share responsibility for driver training. All drivers receive four days of SEPTA training (some instructors are contractor lead trainers chosen for their specific expertise such as map reading). SEPTA training includes: CCT and ADA policies, passenger sensitivity, defensive driving, use of the on-board tablets, and map reading. Carriers then provide additional training, including the appropriate amount of road training.

Based on the review team interviews with drivers from five different carriers, it is clear that drivers know to provide door-to-door service to all riders. Drivers generally understood most SEPTA policies and procedures. However, there were two areas of inconsistent knowledge. First, many drivers could not properly explain what constituted an on-time pickup (based on their answers to a question such as “If your pickup is scheduled for 8 a.m., how late can you arrive and still be on time? How early can you arrive?”). This indicated that they did not fully understand SEPTA’s pickup window.

In addition, drivers had varying understanding of the procedure for declaring a rider no-show. Some drivers said that they required approval from dispatch before leaving a pickup address and declaring a no-show; other drivers said that after notifying dispatch and waiting for a defined number of minutes, they could leave and inform dispatch later of the no-show.

Advisory Comments: It is an effective practice to ensure that all contractor employees, including drivers, understand the pickup window. It is also an effective practice to ensure that drivers and dispatchers follow a consistent procedure when declaring a rider no-show. SEPTA should reinforce understanding of the

pickup window and proper handling of no-shows during its own initial training and the refresher training provided by contractor trainers.

6.10 Service Under Contract with a Private Entity

Requirement: Under 49 CFR § 37.23, transit agencies must ensure that any private entity with which it has entered into a contract or other arrangement to provide complementary paratransit service meets all the obligations of the DOT ADA regulations, including those for service provision and vehicle acquisition, that the transit agency would be required to meet, if it provided the service directly.

Transit agencies must have policies and procedures in place to monitor contractors' performance and ensure that contractors meet the requirements. Transit agencies are not permitted to neglect monitoring or to limit their monitoring to the terms and conditions of contract or other arrangements with the private entity or entities.

Discussion: During this compliance review, deficiencies were found with SEPTA procedures for monitoring its contractors. An advisory comment is made regarding the skills and experience of future contract monitoring and compliance staff.

As discussed earlier in this report, SEPTA contracts with private companies to provide service on the road: four contractors in Philadelphia and one contractor in each of the four suburban counties. The contractors are also responsible for maintaining the SEPTA-owned vehicles assigned to them. Another private company provides the reservationists and control center call-takers. SEPTA and its eight carriers share responsibility for driver training.

SEPTA is responsible for scheduling, dispatching, eligibility determination, and service oversight. Each weekday morning, SEPTA managers hold an "8:30 meeting" to discuss the previous weekday's performance including incidents and safety issues, complaints, on-time performance, and capacity constraints.

SEPTA managers also meet regularly with the contractor project managers, both individually and as a group. On-time performance has remained a concern, with performance for the Philadelphia carriers consistently below 90 percent on time (in the pickup window or early). There have also been ongoing concerns with the on-board tablets that drivers use to communicate with dispatch and to enter all pickup and drop-off times. Specifically, drivers may not be using the tablets as directed, and recording time-points either before or after the required entry time.

At the time of the site visit, SEPTA had plans to expand its contract monitoring activities by filling vacant positions and merging field monitoring functions into one group. Most of its monitoring activities have focused on vehicle maintenance and other facility, equipment, and uniform requirements with less focus on field operations (e.g., proper use of tablets, passenger interactions, driving skills). Most of the SEPTA personnel involved in contractor monitoring are experts in vehicle maintenance. As such positions are filled and teams merged, SEPTA is encouraged to employ more monitors with field operations skills.

As discussed in Section 6.4 under capacity constraints (missed trips), SEPTA's lack of a complete definition of a missed trip (carrier no-show) means SEPTA is undercounting the number of missed trips.

As discussed in Section 6.4 under capacity constraints (long trips), SEPTA is not currently monitoring its contractors to minimize the number of long trips or avoid patterns or specific riders experiencing excessively long trips. SEPTA is also not sufficiently monitoring trips coded as no-shows to determine whether such trips are actual carrier missed trips; such monitoring is limited to riders facing possible service suspensions.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must:

- Use its revised definition of a carrier missed trip to more closely monitor contractor performance

- Implement procedures for monitoring long-trips and ensuring no patterns of excessively long trips are occurring for specific riders

Advisory Comment: It is an effective practice for a transit agency's contractor monitoring and oversight team to have experience in both paratransit operations and vehicle maintenance.

6.11 Service Provided by Another Public Entity

Requirement: 49 CFR Part 37 applies to any public entity that provides designated public transportation or intercity or commuter rail transportation. Under 49 CFR § 37.21(b), for entities receiving Federal financial assistance from the Department of Transportation, compliance with the applicable requirements of 49 CFR Part 37 is a condition of § 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide complementary paratransit service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37. In other words, a transit agency must ensure that the service provided on its behalf meets all of the requirements that the transit agency would be required to meet, if the transit agency provided the service directly.

Transit agencies must have policies and procedures in place to monitor the performance of such service to ensure that these requirements are met; transit agencies are not permitted to defer to the public entity operating the service.

Discussion: During this compliance review, no deficiencies were found this requirement. SEPTA does not contract with any public agencies.

6.12 Coordination of Service

Requirement: Under 49 CFR § 37.139(g), public transit operators were required to address efforts to coordinate service with other fixed route operators with overlapping or contiguous service areas or jurisdictions when developing their complementary paratransit plans. Coordination is an ongoing process; while these efforts are likely to have evolved over time, it is expected that such transit agencies will have a mechanism in place to ensure that complementary paratransit riders have an ability to make interjurisdictional trips on a comparable basis to individuals using the fixed route system.

Discussion: During this compliance review, deficiencies were found with how SEPTA coordinates service with other fixed route operators with overlapping or contiguous service areas or jurisdictions.

Three fixed route operators that provide ADA complementary paratransit service have overlapping service areas with SEPTA:

1. DART First State: SEPTA bus route #113 travels to the Tri-State Mall in Claymont, DE. DART bus routes (#13 and #61) also travel there
2. New Jersey Transit: numerous NJ Transit bus routes travel to Philadelphia's Center City
3. Pottstown Area Rapid Transit (PART): SEPTA bus route #93 travels to Pottstown (downtown and the Philadelphia Premium Outlets), where transfers are available to PART bus routes

SEPTA has no written agreements with DART, NJ Transit, or PART to coordinate the travel of paratransit riders who are traveling between two jurisdictions. Furthermore, according to SEPTA's manager of schedules/reservations, CCT schedulers do not communicate with their counterparts at DART, NJ Transit, or PART to coordinate trips for riders who are transferring between their respective paratransit services.

Corrective Action and Schedule: Within 60 days of the issuance of the final report, SEPTA must take steps to ensure that paratransit riders traveling between its service area and the adjacent paratransit service

areas of can make interjurisdictional trips. These steps should include written policies and procedures for riders who want to take interjurisdictional trips and operating procedures for CCT reservationists, schedulers, dispatchers, and drivers.

Summary Table of Compliance Review Findings

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
1	Comparable complementary paratransit service	37.121	No deficiencies		
2	Absence of administrative burden	37.125 & 37.5	No deficiencies		
3	ADA paratransit eligibility standards	37.123(e) (1)-(3)	No deficiencies 1 advisory comment		
4	Accessible information	37.125(b)	No deficiencies		
5	Eligibility determinations within 21 days	37.125(c)	No deficiencies		
6	Written eligibility determinations including specific reasons for denials or temporary or conditional eligibility	37.125(d)(e)	2 deficiencies	Specific reasons for conditional or temporary eligibility are not included in letters PCA use is not indicated in letters	60/* 60/*
7	Recertification of eligibility at reasonable intervals	35.125(f)	No deficiencies		
8	Administrative appeals process for denials and conditional eligibility	37.125(g)	No deficiencies 2 advisory comments		
9	Complementary paratransit for visitors	37.127	2 deficiencies	Process for visitors without eligibility from another agency with apparent disabilities is incorrect 21-days of eligibility in a 365-day period is not clearly explained	60/* 60/*
10	Types of service	37.129	No deficiencies		

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
11	Service area	37.131(a)	1 deficiency	Complementary paratransit service is not provided for portions of three SEPTA bus routes	60/*
12	Response time	37.131(b)	2 deficiencies 1 advisory comment	Next-day service requests are not accommodated for trips between 12:01 and 3:29 a.m. Trip negotiation process results in some reservations >60 minutes from initial request	60/* 60/*
13	Fares	37.131(c)	1 deficiency	The zone fare structure for trips with transfers yields some paratransit fares that are more than twice the fixed route fares	60/*
14	No trip purpose restrictions	37.131(d)	No deficiencies		
15	Hours and days of service	37.131(e)	No deficiencies		
16	Absence of capacity constraints	37.131(f)	See below		
17	No restrictions on the number of trips provided to an individual	37.131(f)(1)	No deficiencies		
18	No waiting list for access to the service	37.131(f)(2)	No deficiencies		
19	No substantial numbers of significantly untimely pickups for initial or return trips	37.131(f)(3)(i)(a)	1 deficiency	Substantial number of untimely pickups for trips in Philadelphia	60/*
20	No substantial numbers of trip denials or missed trips	37.131(f)(3)(i)(b) 37.131(3)(1)(b)	2 deficiencies 1 advisory comment	Trip negotiation process for next day service during peak periods leads to denials, which are not recorded as such Missed trip definition does not include all potential scenarios	60/* 60/*

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
21	No substantial numbers of trips with excessive trip lengths	37.131(f) (3)(i)(c)	3 deficiencies	Incorrect long-trip standard Substantial number of excessively long trips based on analysis of a sample of trips Certain riders and destinations experience pattern of excessively long trips based on an analysis of a sample of trips	60/* 60/* 60/*
22a	No operational patterns or practices significantly limiting service availability (telephone hold times)	37.131(f)	1 deficiency 1 advisory comment	Reservations lines have insufficient capacity	60/*
22b	No operational patterns or practices significantly limiting service availability (untimely drop-offs)	37.131(f)	No deficiency 1 advisory comment		
23	Subscription Service	37.133	No deficiencies		
24	No-show, late cancel and reasonable service suspension & appeal policies	37.125(h) (1)-(3)	4 deficiencies 1 advisory comment	Incorrect no-show/late cancellation policy definitions and procedures Subsequent suspensions are excessively long Practices for determining suspensions does not follow SEPTA policy Suspension appeal process lacks proper separation of function	60/* 60/* 60/* 60/*
25	Complaint Resolution & Compliance Information	27.13(a)(b) & 27.121	No deficiencies		
26	Nondiscrimination	37.5	No deficiencies		
27	Training	37.173	No deficiencies 2 advisory comments		
28	Service under contract with a private entity	37.23	2 deficiencies 1 advisory comment	Insufficient monitoring of long trips Insufficient monitoring of possible carrier missed trips	60/* 60/*
29	Service provided by another public entity	37.21(b)	Not applicable		

Item	Part 27 or 37 or 38 Requirement	Reference	Site Visit Finding deficiency/no deficiency or advisory comment	Finding(s) of Deficiency/Exit Meeting Notes	Response Days/ Date
30	Coordination of service	37.139(g)	1 deficiency	No coordination with three adjacent fixed route operators	60/*

* Date to be provided in final report

Attachment A
SEPTA Paratransit Review Notification Letter



U.S. Department
Of Transportation
**Federal Transit
Administration**

Headquarters

East Building, 5th Floor, TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

May 1, 2018

Mr. Jeffrey D. Knueppel
General Manager
Southeastern Pennsylvania Transportation Authority
1234 Market Street
Philadelphia, PA 19107

Dear Mr. Knueppel:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38 and 39 as they apply to public transportation. As part of its ongoing oversight efforts, FTA through its Office of Civil Rights conducts a number of on-site ADA compliance reviews of grant recipients. The Southeastern Pennsylvania Transportation Authority (SEPTA) has been selected for a review of ADA paratransit service to take place from June 18–22, 2018.

The purpose of this review will be to determine whether the SEPTA is meeting its obligations to provide paratransit service as a complement to their fixed route services in accordance with the service criteria and eligibility requirements contained in Subpart F of 49 CFR Part 37, and other related requirements contained in 49 CFR Parts 27, 37 and 38.

The review process includes data collection prior to the site visit, an opening conference, an on-site analysis of the ADA complementary paratransit service, and an exit conference. The entire on-site portion of the review will be completed over five working days. FTA has engaged the services of the Collaborative, Inc. (the Collaborative) of Boston, MA to conduct this compliance review. As part of the review, the following FTA contractor personnel will be granted temporary access to your TrAMS account: William Schwartz and David Chia. Please do not remove these individuals. FTA will do so at the close of the review. The Collaborative team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request an opening conference at **9 a.m. Monday June 18, 2018**, to introduce the Collaborative team and FTA representatives to SEPTA, including you or your designee, representatives responsible for ADA paratransit eligibility and paratransit operations, and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near the SEPTA offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as the SEPTA's liaison with the review team and will coordinate the site visit and address questions that may arise during the visit.

So that we may properly prepare for the site visit, we request that you provide the information described in Enclosures 1 and 2. Enclosure 1 consists of items that the Collaborative must receive by June 1, 2018. These materials should be forwarded to:

David Chia
Senior Associate
The Collaborative, Inc.
122 South Street
Boston, MA 02111
617-338-0018, x17
dchia@thecollaborative.com

Enclosure 2 consists of items that the Collaborative team will review on site beginning on May 21, 2018 after the opening conference.

We request the exit conference be scheduled for **2 p.m. Friday June 22, 2018**, to afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you or your designee, the director of ADA Paratransit service, the ADA coordinator, and other key staff attend the exit conference. The FTA Office of Civil Rights will make findings and will provide them to you in a draft report. You will have an opportunity to correct any factual errors before FTA finalizes the report. The Draft and Final Reports, when issued to SEPTA, will be considered public documents subject to release under the Freedom of Information Act, upon request.

SEPTA representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns before the opening conference, please contact me, at 202-366-1671 or via e-mail at *john.day@dot.gov*.

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with SEPTA staff.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Day", with a long, sweeping horizontal stroke extending to the right.

John Day
Program Manager for Policy
and Technical Assistance

cc: Terry Garcia Cruz, Regional Administrator, FTA Region III
Lynn Bailey, Acting Regional Civil Rights Officer, FTA Regions II & III
Frank Brandis, SEPTA
David Chia, the Collaborative, Inc.

SEPTA: ADA Complementary Paratransit Compliance Review

Enclosure 1

The following information must be submitted to the Collaborative by June 1, 2018.

1. A description of how complementary paratransit service is structured in the City of Philadelphia and the remainder of the SEPTA service area, including:
 - How trip requests/reservations are handled (including names of any contractors used) and the address where reservations are taken
 - How trips are scheduled (including names of any contractors used) and the address where scheduling is done
 - How dispatching is handled (including names of any contractors used) and the address of central dispatch offices
 - Addresses of contractor garages where drivers begin/end their runs

Note that the Collaborative may contact you in advance to discuss this first question.
2. Copies of any current contracts or agreements with other entities for complementary paratransit eligibility, operations, or other related services
3. A copy of all rider guides, service brochures, or other documents that explain to the public and eligible riders how trips are requested and how service is provided
4. Information on the following complementary paratransit service standards and definitions:
 - Definition of an “on-time” trip
 - Standard for on-time pickup performance and how it’s tracked and reported
 - Standard for on-time drop-off performance and how it’s tracked and reported
 - Standards for an acceptable number or percentage of ADA trip denials
 - Definition of an “excessively long trip”
 - Standard for long-trip performance and how it’s tracked and measured
 - Telephone service standards by call type, as applicable (reservations, dispatch, eligibility appointments, etc., and how it’s tracked and measured
 - Which of the above (if any) definitions or standards do you make public?
5. Samples of driver manifests (described in Item #1 of Enclosure 2) and samples of records, reports, or tabulations of the complementary paratransit information (described in Item #2 of Enclosure 2)
6. Capital and operating budget and expenditures for complementary paratransit service for the four most recent fiscal years, including the current fiscal year
7. The number of complementary paratransit trips scheduled and provided, and trips denied for the four most recent fiscal years, including the current fiscal year
8. Three copies of the fixed route system map

Enclosure 2

We request that the following information and/or assistance be available at the **beginning of the site visit**:

1. Copies of (or electronic access to) completed driver manifests for the most recent six-month period
2. The following complementary paratransit data, by month, for the last six months (paper copies or electronic files):
 - Trips requested
 - Trips scheduled
 - Trips denied
 - Canceled trips
 - Passenger no-shows
 - Carrier missed trips
 - Trips provided
 - A listing of trips denied each month showing customer's name, origin, requested destination, day and time, and if the person was ambulatory or used a wheelchair
 - On-time performance information (pickups and drop-offs)
 - A listing of trips longer than 60 minutes showing the customer name or ID number, origin, destination, day and time, if the customer was ambulatory or used a wheelchair, and the total time on-board
 - A listing of passenger no-shows and carrier missed trips for last month with negotiated pickup times and actual vehicle arrival and departure times
 - Telephone call management records (if available) showing hold times by hourly or half-hourly periods and day, total call volume, calls answered and abandoned
3. A record of complaints from the past year related to the ADA paratransit eligibility process, provision of complementary paratransit service or other complaints of discrimination. Provision of service complaints should include all complaints related to trip denials, missed trips, wait lists, trip caps, trip restrictions or limits, on-time performance, lengthy trips, phone capacity issues, etc. showing the customer's name, trip origin, date and type of complaint, and transit agency resolution (any corrective actions requested and taken)
4. The following ADA paratransit eligibility information:
 - Copy of a blank application form
 - Copies of eligibility guidelines and policies and any assessment or interview forms
 - Sample letters of all types of determination (unconditional, conditional, temporary, trip eligible (if applicable) and
 - Other letters related to receipt of applications, incomplete applications, eligibility appeals and other eligibility issues
 - Total number of ADA paratransit eligible individuals
 - Access to eligibility files and appeals records

SEPTA: ADA Complementary Paratransit Compliance Review

- For the most recent 12 months:
 - Number of applications received
 - Number of completed applications considered and processed
 - Number of applications determined incomplete
 - Number of people determined unconditional eligible
 - Number of people determined conditionally eligible
 - Number of people determined temporarily eligible
 - Number of people determined ineligible
- 5. Any documentation of policies, procedures and correspondence related to service suspensions for missing scheduled trips (i.e., passenger no-shows and/or late cancellations) or other suspensions for violent or seriously disruptive behavior
- 6. Work shift assignments for reservationists (call-takers), schedulers, dispatchers, and drivers
- 7. Access to personnel records showing hire and termination dates for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
- 8. Current complementary paratransit fleet roster with vehicle type, make and model year and odometer reading (designating whether the vehicles are accessible or inaccessible), numbers of accessible and inaccessible spares. For each accessible vehicle, please include the design load of the lift or ramp
- 9. Run structure (vehicles in service by hour of day)
- 10. Access to the most recent six months of daily vehicle pullout records showing late pullouts and closed runs
- 11. Vehicle availability reports for most recent six months
- 12. Assistance with viewing and capturing parameters used in the scheduling software
- 13. Assistance with viewing and collecting data on vehicle run structures and peak pullout requirements
- 14. Subscription trips by hour
- 15. Training curricula for each type of complementary paratransit employee
- 16. Procedures for providing information and communications in accessible formats

Attachment B
SEPTA Response Letter to Draft Report

From: Martinez, Jaime A [mailto:JMartinez@septa.org]

Sent: Friday, August 17, 2018 9:24 AM

To: Day, John (FTA) <John.Day@dot.gov>

Cc: jknueppel septa.org <jknueppel@septa.org>; Sauer, Scott A <SSauer@septa.org>; Brandis, Francis T <FBrandis@septa.org>; Krajewski, Richard D <RKrajewski@septa.org>; West, Cassandra <CWest@septa.org>

Subject: Draft Report: SEPTA ADA Paratransit Review

Good Morning Mr. Day,

Below please find SEPTA's comments on the contents of the Draft Report from the paratransit compliance review of SEPTA's ADA Program conducted June 18 through June 22, 2018. As requested, the SEPTA review was limited to identifying factual errors in the Draft Report.

Please let us know if you have any questions or need more information. I can be reached at (215) 580-7084.

Regards,

Jaime A. Martinez

SEPTA Comments are as follow:

p. 10: Private carriers train drivers to proficiency; SEPTA provides new driver familiarization.

p. 22: As written, this is misleading.

When application processing was delayed due to circumstances beyond SEPTA's control, it took an average of 53 days from the date of receipt to the date interviews/assessments took place.

p. 28-29: The Route 93 operates closed door service. Local service is not provided on most trips between Pottstown and High St and Rupert Rd, but is available on Pottstown Area Rapid Transit (PART). Between those points, Route 93 will pick up passengers on trips "To Norristown Transportation Center" only and drop off on trips "To Pottstown" only.

p. 33: SEPTA's on-time performance standard is 90 percent in the suburbs and 85% in the city.

p. 41: This is incorrect. Disputes of points are documented in the Veritas complaint system for review and disposition. Customers may submit disputes using any of the available methods for contacting SEPTA Customer Service.

p. 41: Post-Triennial Review response from FTA acknowledged SEPTA duly engaged community in determining appropriate effective length of suspensions.

p. 47: Reasons are provided in conditional letters; temporary service is a request made by applicant on ADA application.

p. 48: See comment on p.28-29

p. 49: See comment on p . 41

From: "Day, John (FTA)" <John.Day@dot.gov>

Date: August 8, 2018 at 3:24:33 PM EDT

To: jknueppel [septa.org](mailto:jknueppel@septa.org) <jknueppel@septa.org>

Cc: "fbrandis@septa.org" <fbrandis@septa.org>, "Garcia Crews, Terry (FTA)" <theresa.garciacrews@dot.gov>, "Walker, Corey (FTA)" <corey.walker@dot.gov>, "Bailey, Lynn (FTA)" <lynn.bailey@dot.gov>, "Heard, Anita (FTA)" <ANITA.HEARD@dot.gov>, "Mitchell, Yolanda CTR (FTA)" <yolanda.mitchell.ctr@dot.gov>, Patti Monahan <PMonahan@thecollaborative.com>

Subject: Draft Report: SEPTA ADA Paratransit Review

Dear Mr. Knueppel-

Attached for your review is the draft report from the ADA paratransit compliance review of SEPTA, which was conducted on June 18–22, 2018. Please review for any factual errors and provide any corrections to me by August 17.

We are seeking corrections to factual errors only; please do not submit corrective actions at this time. If you have no corrections, please let me know.

Best Regards,

John Day

Program Manager for Policy and Technical Assistance | Office of Civil Rights

Federal Transit Administration | U.S. Department of Transportation

1200 New Jersey Ave., SE, Room E-54-310 | Washington, DC 20590

☎ 202.366.1671 | ✉ john.day@dot.gov | 🌐 www.transit.dot.gov

Attachment C
SEPTA Appeal Process



“You Have the Right to Appeal”

Existing CCT Customers and Applicants have the right to an administrative appeal if they do not agree with an eligibility determination or a decision to suspend service for No Shows/Late Cancellations or Disruptive Conduct. You may appeal in writing or in person and you may be represented by an attorney or advocate. **You must submit the written Notice of Appeal form on the back of this page if you wish to file an appeal.**

Written Notices of Appeal must be submitted unless a person is unable to write. Individuals unable to write may contact SEPTA CCT at 215-580-7145 immediately upon receipt of their eligibility determination letter or suspension notice. All appeals are heard by an independent Hearing Officer comprised of individuals who were not involved in the initial eligibility determination or decision to suspend service. Appeals for service suspensions due to no show violations or disruptive conduct may be heard by SEPTA staff members not involved in the suspension process. The decision of the independent Hearing Officer is final.

If you have any questions related to your right to appeal, please contact SEPTA CCT Customer Service at 215-580-7145 or visit us on the web at www.septa.org.

Eligibility Appeals:

1. If your eligibility expired or you are applying for ADA Complementary Paratransit service for the first time, and SEPTA has determined that you are capable of using regular buses, no service will be provided until your appeal has been heard and a decision rendered.
2. If you are a current user of CCT Connect and have reapplied, and SEPTA has determined that you are capable of using regular buses, you may continue to use CCT Connect until your appeal is scheduled and you are notified of the decision.
3. The Hearing Officer will render a decision within 30 days of the appeal hearing. After 30 days, paratransit service will be provided until a decision is rendered.

No Show Appeals:

4. If you are appealing a service suspension for violation of SEPTA's No Show/Late Cancellation Policy, service will be provided until an appeal hearing is concluded and a decision rendered.

Disruptive Conduct Appeals:

5. If you are appealing a service suspension for violent, seriously disruptive or illegal behavior, service will **NOT** be provided during the appeal process.

NOTICE OF APPEAL

If you wish to appeal your eligibility determination or service suspension, please complete this form and return it as soon as possible.

- Eligibility appeals must be returned within **60** days of your notification of eligibility.
- No Show appeals must be returned within **21** days of your notification of suspension.

Name: _____ CCT Connect ID # _____

Address: _____ Telephone Number: _____

Please select one of the following:

☐ **I wish to appeal in person.** Individuals choosing to appeal in person will be contacted by CCT Connect to schedule the appeal hearing. (No Show and Disruptive Conduct hearings may be conducted by teleconference at SEPTA's discretion.)

☐ **I will be represented by an attorney or advocate during my hearing.**

☐ **I wish to appeal in writing.** I understand the final decision on my appeal will be based solely on written materials in possession of CCT Connect and those I am submitting with this form. (If you choose to appeal in writing, you must state specifically why you disagree with the eligibility determination or suspension. You should provide supporting documentation.)

Tell us why you are appealing: _____

Attach additional pages and documentation if needed.

Signature: _____ Date: _____

(This form will be returned if unsigned)

Return this form and include any supporting documentation to:

CCT Connect-Appeals
1234 Market Street, 4th floor
Philadelphia, PA 19107
Fax: (215) 580-7132

Attachment D
SEPTA Conditions of Eligibility

CCT Connect Eligibility Conditions (From Page 14 of the CCT Connect Eligibility Procedures Manual)

Architectural Barriers – when architectural barriers, such as a lack of sidewalks and curb cuts, prevent travel to/from an accessible transit boarding location.

Complex Trips – when your trips require that you take more than one bus/train to reach your destination.

Dusk-to-Dawn – when your vision does not permit you to independently travel to/from accessible boarding location in the dark.

Environmental barriers – when environmental barriers, such as heavy or accumulating snow/ice and/or torrential rains is in the next day forecast, and will prevent travel to/from an accessible transit boarding location.

Extreme Cold – when the next-day temperature, including the wind chill factor, falls below 32 degrees (usually between December 15th and March 15th).

Extreme Heat – when the next-day temperature, including the heat index, rises above 85 degrees (usually between June 15th and September 15th).

Extreme Fatigue – when your health condition and/or the effects of your medical treatment prevent you from using accessible fixed route service you may reserve a next day CCT Connect Trip.

Personal/physical Limitations - when you are only able to ambulate short distances; can only stand or short durations; or propel yourself in your manual wheelchair short distances, CCT may provide FREE paratransit service to/from the nearest accessible SEPTA transit boarding location.

Peak Travel Hour Service – when you wish to travel between the hours of 6 am and 9 am and between the hours of 3:30 pm and 6:30 pm, because you have severe balance issues and require a seat.

Unfamiliar Destinations – when you have not been trained to travel to/from a particular location.

Attachment E
Customer No-Show/Cancellation Policy

SEPTA CUSTOMIZED COMMUNITY TRANSPORTATION CCT CONNECT SERVICE

CUSTOMER NO-SHOW/CANCELLATION POLICY

Outlined herein is SEPTA CCT Connect's Customer No-Show/Cancellation policy and the administrative process supporting it. This policy applies to and is the same for registrants in SEPTA's ADA and Shared-Ride Program paratransit services.

1. Regulatory Bases:

- A. **ADA riders: Regulatory citation is 49 CFR Sec. 37.125(h):** *The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips. A pattern or practice is defined as no shows or late cancellations in excess of 20% of all scheduled trips.*
- (1) Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists.*
 - (2) Before suspending service, the entity shall take the following steps:*
 - (i) Notify the individual in writing that the entity proposes to suspend service, citing with specificity the basis of the proposed suspension and setting forth the proposed sanction.*
 - (ii) Provide the individual an opportunity to be heard and to present information and arguments;*
 - (iii) Provide the individual with written notification of the decision and the reasons for it.*
 - (3) The appeals process of paragraph (g) of this section is available to an individual on whom sanctions have been imposed under this paragraph. The sanction is stayed pending the outcome of the appeal.*
- B. **SRP riders: Decisions to refuse service rest with County Coordinators, per SRP Program regulations.**

2. Definitions:

- A. **No-Show; Customer No-Show** - any occurrence where customer does not show up or cannot be located for a scheduled ride, or declines to take the trip when driver arrives at the door.
- B. **Late Cancellation** - any cancellation received by SEPTA CCT Connect Control Center/ (Dispatch) (in Chester County, carrier's dispatch center) less than two (2) hours before requested pickup time.
- C. **Early Cancellation** - a cancellation received two (2) hours or more before the requested pickup time. An early cancellation is recorded only for statistical use, and is not held against the person cancelling.
- D. **Requested Pickup Time** - the time the person requests to be picked up when the reservation for the ride is made; as opposed to the time the ride is actually scheduled, which may vary from 10 minutes before to 20 minutes after the requested time.
- E. **Negotiated Pickup Time** – the pick up time a person accepts; confirmed by reservationist at time of the trip request
- F. **Five (5) minute wait period** – vehicles remain on location five (5) minutes during which time the driver attempts to locate a customer; vehicles remain on location until cleared by Control Center to leave
- G. **Suspension of Service** - no reservations will be accepted from the suspended individual, and no CCT service provided during the period of suspension,
- H. **Standing Order privileges** - ability to request, obtain or use a Standing Order.
- I. **Loss of Standing Order(s)** – Rider loses all Standing Order privileges currently in effect or on hold.

3. Responsibilities:

- A. Customers are responsible for promptly notifying SEPTA when a vehicle is late or does not arrive, they wish to cancel their ride, or their Standing Order ride must be cancelled or put on hold, and for keeping track of any No-Shows and Late Cancellations they may incur each month.
- B. SEPTA is responsible for correctly documenting in the applicable system all early cancellations, no-show and late cancellation incidents, and to administer the No-Show/Cancellation Policy.
- C. SEPTA will promptly correct the patron's ride file if a ride is incorrectly recorded as a No-Show/Late Cancellation and the patron provides SEPTA with corrective information.
- D. SEPTA: Only SEPTA has the right to suspend service or impose sanctions on riders. SEPTA is responsible for notifying customers of such actions in writing, and for recording these actions in riders' computerized files.

4. Recommended Threshold of Customer No-Shows & Late Cancellations Per Calendar Month: Nine (9) points, calculated as follows:

- Each Customer No-Show shall count as two (2) points.
- Each Late Cancellation shall count as one (1) point.

Any combination of these is permitted; however, all Late Cancellations and No-Shows in excess of the recommended limit of nine (9) points in one calendar month, with the total number of violations equal to or exceeding 20% of all scheduled trips, shall be considered an abuse of the service. The rider incurring the excessive no-shows and late cancellations shall be subject to the following sanctions:

- A. First Offense: Any patron found to have excessive No-Shows and/or Late Cancellations within a calendar month as defined above will be suspended from CCT Connect service for 14 days, and lose his/her Standing Order privileges.
- B. Repeated Offenses within a rolling 180-day period: Patrons who repeatedly incur excessive No-Shows and Late Cancellations, as defined above, within the previous 180 days will be subject to the following penalties:
 - Subsequent occurrence: 30-day suspension; loss of Standing Order privileges. Longer terms of suspension may be sought in the event of chronic violations.
- C. Timing: Sanctions will be imposed beginning on the first day of the month following issue of notice of violation.
- D. Responsibility resides with the individual rider and policy applies to the individual: For riders registered with both ADA and SRP services, penalties shall apply simultaneously to both services.

5. "Due Process" Requirement

A service suspension is a temporary removal of eligibility. Before eligibility is removed "for cause," the transit agency must provide administrative due process to the individual. The following is required:

- A. Adequate documentation must be on file to support the decision that a practice/action is sanctionable.
- B. If sanctions are imposed, the individual must be notified ahead of time in writing or in accessible format.
- C. The notice must spell out the basis for the proposed action with great specificity and describe the proposed sanction.
- D. Such decisions must be subject to appeal.
 - The individual must have the right to present written and oral information and arguments.
 - The individual has the right to representation or to bring a supporting person.
 - Relevant records and personnel must be made available to the individual.
 - Other persons can testify.

6. Administrative Progression

- A. No-Show/Late Cancellation Report:** SEPTA will generate a report in the form of a letter listing rider's name and ID#(s); number of Customer No-Shows/Late Cancellations incurred; dates of each for those riders who have exceeded the excessive no show/late cancellation threshold.
- B. Written notice to rider, with documentation:**
- (i) A letter listing the information cited in (A) will be mailed to each who has incurred excessive no shows/late cancellations. The letter shall notify the individual that SEPTA proposes to suspend service and cancel the rider's current Standing Orders, specifying the date this will take effect.
 - (ii) In the case of persons who have already been suspended during the previous 180 days, the sanctions described in the letter shall be as described above in Section 4(b) above.
 - (iii) The letter will notify the individual that he/she may appeal this decision and describe how to file an appeal. The letter will also state that during the period between SEPTA's receipt of an appeal of service suspension and the determination of the Independent Appeals Board, SEPTA CCT Connect service will be provided to the appellant without interruption.
 - (iv) For SRP riders with rides funded through a third party: Concurrent notifications will be made to the third-party funding source, at minimum, on a monthly basis.
- C. Customer's right to appeal; filing an appeal:**
- (i) Patrons shall have 21 days from the date of the notification letter to file an appeal with SEPTA contesting the determination of excessive No-Shows/Late Cancellations.
 - (ii) Owing to the requirements and paperwork that are necessarily part of due process, appeals must be submitted in writing. Patrons unable submit a written appeal due to a disability may authorize a representative to prepare their appeal or appeal for them. Alternatively, such individuals may telephone SEPTA CCT Connect Customer Service, inform staff that they wish to appeal but are unable to submit a written appeal, and request assistance. After verifying the caller's need for reasonable accommodation, SEPTA staff will assist any appellant who is unable to write in preparing a written appeal.
 - (iii) If an appeal is filed based upon a suspension of service for alleged violation of SEPTA's No-Show/Late Cancellation Policy, service will be provided until an appeal hearing is concluded.
 - (iv) If a patron elects to file a No-Show/Late Cancel appeal, that patron's rides will be reviewed to determine if the No-Shows/Late Cancellations were justified. Review will include a confirmation that the patron's rides exceed the 20% threshold as well as a review of any disputes filed by patron prior to and as part of the appeal.
 - (v) The appeals process to be followed shall be as outlined in the brochure "*You Have the Right to Appeal*".
- D. Suspension of CCT CONNECT service; restoration of same**
- (i) If the patron does not file an appeal with SEPTA within 21 days of the date on the notification letter, SEPTA will automatically suspend all service to that patron.
 - (ii) At the end of the period of suspension, SEPTA will automatically restore the patron's ability to make random trip reservations and use the service.
 - (iii) With suspension, the rider will lose all current or "on-hold" Standing Order privileges. After the period of suspension, Standing Order may be provided based on operational feasibility at the discretion of SEPTA Operations management.