



Calgary Transit Access Eligibility Appeal Board

Terms of Reference

1. Authority

The Calgary Transit Access Eligibility Appeal Board was established by a resolution of Council on 1999 April 26 (report TTP99-19).

2. Mandate

To hear and determine Appeals from those persons deemed to be ineligible, conditionally eligible ~~for specialized transportation services and individuals suspended or denied services~~ or who disagree with their eligibility for shared-ride public transportation service as determined by Calgary Transit Access.

3. Specific Responsibilities

Render a fair determination with the evidence provided.

4. Reports To

City Council

5. Composition

The Board consists of seven (7) Members:

- ~~• 2 members with disabilities using specialized transportation services;~~
- ~~• 2 health care practitioners (e.g., medical doctor, occupational or physical therapist, rehabilitation specialist)~~
- Three (3) citizens, who are Members with disabilities or directly involved with those with disabilities
- Three (3) citizens who are or were, health care practitioners (e.g. doctor, nurse, therapists)
- One (1) citizen-at-large

6. Resources

~~Transportation Department—Calgary Transit
Community and Social Development Department
Manager, Calgary Transit Access, Calgary Transit
Coordinator, Eligibility Services, Calgary Transit~~

7. Subcommittees

There are no subcommittees.



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8. Term

- ~~1 year term~~
- Two-year term
- A Member may serve a maximum of six (6) consecutive years
- Despite the above, a Member may serve until their successor is appointed. The service of a Member beyond the appointed term shall not count toward the limit on the length of service set out above if the additional service is six (6) months or less.
- A Member may serve more than six (6) consecutive years by a two-thirds (2/3) vote of Council.
- When an appointment is made to fill a member vacancy:
 - If the balance of the term to be served is six (6) months or less, that service shall not count toward the limit on the length of service: and
 - If the balance of the term to be served is more than six (6) months, that service shall count toward the limit on the length of service.

9. Quorum

3 Quorum is greater than 50%; that is four members.

10. Chair

Chair and Vice-Chair are nominated and elected by the Calgary Transit Access Eligibility Appeal Board.

11. Meetings

- Frequency: Monthly (or as required)
- Day: 3rd Tuesday
- Time: 4:30 – 8:00pm
- Location: Legal Traditions Committee Room (4th Floor, City Hall)

Additional meetings may be scheduled if approved by the Board. Meetings are not open to the public. Media are not entitled to attend Board hearings. Meetings are not recorded via video or audio tape.

12. Procedures

1. The Access Calgary representative will present information and history regarding their determination. The burden of proof rests with the Appellant, who will present written information and witnesses to establish their case.



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Terms of Reference

2. After the Appellant and any witnesses presented all their evidence, there will be opportunity for discussion between the parties and the Board. The Appellant and witnesses will leave the room while the Board deliberate.
3. The Board may render one of the following decisions:
 - to deny the appeal;
 - to uphold the appeal with or without conditions;
 - to change the appeal to include or remove conditions;
 - to dismiss the appeal if the Board finds it is without merit; or
 - to reserve its decision until a future date.
4. The Chair will render an oral decision, including the Board's specific findings of fact and reasons, to the Appellant immediately after a hearing has concluded. The Board will also provide a written confirmation of their decision and reasons, to be delivered to the parties within thirty (30) days of the conclusion of the hearing.
5. The decision of the Board is the final determination of an Appeal. The decision of the majority is the decision of the Board.

13. Code of Conduct

1. A Member will always demonstrate respect for the Board, the parties' representatives, witnesses and for the hearing process itself, through their demeanor, timeliness, dress and conduct throughout the proceedings.
2. A Member will not communicate directly or indirectly with any party, witness or representative of a party in respect of a Board proceeding, except in the presence of all parties and their representative.
3. A Member will not make public comment nor discuss, orally or in writing, on any aspect of a matter before the Board.
4. A Member will not communicate with the media regarding any matter before the Board.
5. A Member will not divulge information obtained because of their appointment to the Board for personal benefit or for the benefit of any other person.
6. A Member must not engage in conduct that exploits their position on the Board.
7. A Member will disclose any circumstances that raise a possible allegation of bias or conflict and may withdraw as a voting Member for that Appeal.
8. A Member will be available at the place of the hearing no less than 15 minutes prior to the scheduled commencement of a hearing.