

RESOLUTION # 16-25
TITLE VI COMPLAINT PROCEDURE
CHEYENNE COUNTY PUBLIC TRANSPORTATION PROGRAM

WHEREAS, K.S.A. 19-101, fifth, provides that Cheyenne County may exercise the powers of home rule to determine local affairs and government under the provisions of K.S.A. 19-101a; and

WHEREAS, rules, policies, and administrative provisions relating to the safety of our employees and citizens are permissible exercises of home rule powers, pursuant to K.S.A. 19-101a; and

WHEREAS, Cheyenne County desires to establish a Title VI Complaint Procedure to ensure the safety and protection of all of its employees and citizens; and

NOW THEREFORE BE IT RESOLVED, effective the date of this Resolution, the Title VI Complaint Procedure, which is attached, is approved and adopted by the Board of County Commissioners of Cheyenne County, Kansas, at their regularly scheduled meeting on October 31, 2016.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS Resolution with the attached policy be provided to all Cheyenne County Elected Officials and Department Heads.

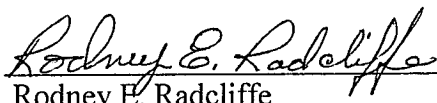
ADOPTED BY THE BOARD OF CHEYENNE COUNTY COMMISSIONERS THIS 31st DAY OF OCTOBER, 2016.




Brett Poling



John E. Garner



Rodney E. Radcliffe



Deb Lindsten
County Clerk

Title VI Complaint Procedure

The following pertains only to Title VI complaints regarding the services of Cheyenne County Public Transportation.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that:

No person in the United States shall, on the ground of race, color; or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Cheyenne County Public Transportation has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter III of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. http://www.fta.dot.gov/documents/FTA_Title_VI_FINAL.pdf

If you believe that Cheyenne County Public Transportation federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined below:

1. Submission of Complaint.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the Cheyenne County Public Transportation Program, may file a written complaint with the Cheyenne County Clerk. A sample complaint form is available for download at www.cncoks.us/riders and is available in hard copy at the County Clerk's Office. Upon request, the County Clerk will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

Assistance in the preparation of any complaints will be provided to a person or persons upon request and as appropriate. **If information is needed in another language please contact the County Clerk, (785) 332-8800.**

Necesitamos la informacion en otro lenguaje, contacto (785) 332-8800.

Complaints should be mailed to or submitted by hand to:

Cheyenne County Clerk
212 E Washington
St. Francis, KS 67756

2. Referral to Review Officer

Upon receipt of the complaint, the County Clerk, will evaluate and investigate the complaint. If necessary, the Complainant shall meet with the County Clerk to further explain his or her complaint. The County Clerk shall complete his/her review no later than 45 calendar days after

the date the agency received the complaint. If more time is required, the County Clerk shall notify the Complainant of the estimated time frame for completing the review. Upon completion of the review, the County Clerk shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the County Clerk may recommend improvements to the Cheyenne County Board of Commission relative to Title VI, as appropriate. The County Clerk will issue a written response to the Complainant in regards to his/her findings. This final report should include a summary of the investigation, all findings with recommendations, corrective measures where appropriate,

Upon receipt of a complaint, Cheyenne County Public Transportation shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FT A Region 7 contacts.

3. Request for Reconsideration

If the Complainant disagrees with the County Clerk's response, he or she may request reconsideration by submitting the request, in writing, to the County Clerk within 10 calendar days after receipt of the County Clerk's prior response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the County Clerk. The County Clerk will notify the Complainant of his or her decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the County Clerk agrees to reconsider, the matter shall be reevaluated in accordance with Paragraph 2 above.

4. Appeal

If the request for reconsideration is denied, the Complainant may appeal the County Clerk's response by submitting a written appeal to the Cheyenne County Board of Commission no later than 10 calendar days after receipt of the County Clerk's written decision rejecting reconsideration. The Board of Commission will then make a determination to either request re-evaluation by the County Clerk or forward the complaint to KDOT for further investigation.

5. Submission of Complaint to the State of Kansas Department of Transportation

If the Complainant is dissatisfied with the Cheyenne County Commission's resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation for further investigation.

KDOT Office of Contract Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

Cheyenne County Public Transportation Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the Cheyenne County Public Transportation Program. You are not required to use this form; a letter containing the same information will be sufficient.

Section I:			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	TDD		Other
Section II:			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are complaining:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
Section III:			
I believe the discrimination I experienced was based on (check all that apply):			
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin			
Date of Alleged Discrimination (Month, Day, Year): _____			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please attach additional pages.			

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency	<input type="checkbox"/> Federal Court	
<input type="checkbox"/> State Agency	<input type="checkbox"/> State Court	
<input type="checkbox"/> Local Agency		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
Section VI		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

Signature _____ Date _____

Please submit this form in person at the address below, or mail this form to:

Cheyenne County Clerk
212 E Washington St.
St. Francis, KS 67756

Cheyenne County Public Transportation
List of Title VI Investigations, Lawsuits and Complaints

	Date Submitted/Filed (Month, Day Year)	Summary of allegation (include basis of complaint: race, color or national origin)	Status	Resolution/Action Taken
Investigations				
1				
2				
Lawsuits				
1				
2				
Complaints				
1				
2				