

Notifying the Public of Rights Under Title VI

Pottawatomie County Kansas

- Pottawatomie County operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Pottawatomie County.
- For more information on Pottawatomie County's civil rights program, and the procedures to file a complaint, contact 785-457-3455, email: cmalchose@pottcounty.org; or visit our administrative office at 207 N 1st St, Westmoreland KS 66549. For more information, visit www.pottcounty.org
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590

Pottawatomie County General Public Transportation Public Participation Plan Outline

1. Brief description of provider's activities and services

Pottawatomie County General Public Transportation provides transportation throughout our 862 square mile county. This service is for almost any reason including but not limited to medical, grocery, financial, social service, and recreation. Many of our local communities do not have all their needed services so we do provide transportation to Manhattan and Topeka on scheduled days.

2. Brief description of activities that would warrant public participation (i.e. fare changes, changes to service hours, route adjustments, service area changes).

Pottawatomie County General Public Transportation would notify the public of any fare structure, service hours, and/or route adjustment changes.

3. Brief description of the proactive public participation strategies would be used.

- *Public meetings will be held at convenient times and accessible locations*
- *Various advertising platforms will be utilized*
- *When possible, an email would be sent to various list serves including members of the public, elected officials, local government staff, KDOT Public transit staff, and local media.*

4. Brief description of outreach methods to engage minority and Limited English Proficiency (LEP) individuals.

There are no specific population groups that meet the criteria of more than 5% and more than 50 individuals.

5. Brief description of the desired outcomes of the agency's public participation efforts.

- *The agency desires to have actively engaged transit riders, stakeholders and members of the general public in the decision making process.*
- *The agency strives to have given adequate public notice of public participation activities and allowed proper time for public review and comment at key decision points.*
- *The agency desires to provide timely information about transportation issues and processes to transit riders, stakeholders, and members of the general public*
- *The agency will provide responses to all public input as appropriate.*

6. Brief summary of recent outreach efforts over the past three years.

We work with our riders, stakeholders, members of the general public, and outside agencies to assist in providing transportation for the general public of Pottawatomie County.

Limited English Proficiency (LEP) Plan

Introduction

On August 11, 2000, President Bill Clinton issued Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," (65 FR 50121). The intent of this Executive Order is to improve access to federally conducted and federally assisted programs and activities for persons who are limited in their English proficiency.

Four Factor Analysis

1. Identify number of, or proportion of LEP individuals that can utilize the service provided by Pottawatomie County General Public Transportation:

Using the 2007-2011 American Community Survey data, we find that there are no language groups that fit the criteria of more than 5% of total population and more than 50 persons who "speak English less than very well." We do serve some individuals who are categorized as this and in these cases we try to make reasonable accommodations when scheduling and transporting these individuals.

2. Identify the frequency in which LEP individuals come in contact with the service:

There are no language groups that currently qualify as a LEP group in our service area.

3. Identify the importance of the service to the LEP community:

Pottawatomie County General Public Transportation provides transportation throughout our 862 square mile county. This service is for almost any reason including but not limited to medical, grocery, financial, social service, and recreation. Many of our local communities do not have all their needed services so we do provide transportation to Manhattan and Topeka on schedules days.

4. Identify the resources available and the respective costs of these resources:

Pottawatomie County does not use any specific resources for individuals who "speak English less than very well." The County would attempt to make reasonable accommodations for individuals using our service who are in a qualified LEP group.

Limited English Proficiency Plan

Utilizing the information gathered from the Four Factor Analysis, the following plan is developed in order to provide the necessary assistance to LEP persons.

Identified LEP individuals

There are no specific population groups that meet the criteria of more than 5% and more than 50 individuals.

Language Assistance Measures

Pottawatomie County does not use any specific resources for individuals who “speak English less than very well.” The County would attempt to make reasonable accommodations for individuals using our service who are in a qualified LEP group.

Training Staff

The County would attempt to make reasonable accommodations for individuals using our service who are in a qualified LEP group. The drivers will communicate the best as possible with the rider(s) during the route.

Providing Notice

LEP plan will be posted on www.pottcounty.org. LEP plan will be provided to any person or agency requesting a copy. The person of contact in regards to the LEP plan is Crystal Malchose and can be reached via cmalchose@pottcounty.org or at 785-457-3455

If a complaint is to be filed by and LEP individual, please utilize the Title VI Complaint Procedures.

Monitoring and Updating LEP Plan

At the minimum, Pottawatomie County will update the LEP plan according to the Title VI update schedule which is every three years. The plan will also be updated anytime changes in the demographics of the service area are deemed significant in regards to LEP persons.

Pottawatomie County Title VI Complaint Procedure

Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the services of Pottawatomie County General 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.

Pottawatomie County General 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. If you believe that Pottawatomie County's 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 Pottawatomie County General Public Transportation, may file a written complaint. A sample complaint form is available for download at www.pottcounty.org and is available in hard copy at the Administration office of Pottawatomie County. Upon request, Pottawatomie County will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

Notes: 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 Crystal Malchose at 785-457-3455.

Complaints should be mailed to or submitted by hand to:

**Pottawatomie County
PO Box 348
Westmoreland KS 66549**

2. Referral to Review Officer

Upon receipt of the complaint, the County Administrator shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint. If necessary, the Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the agency received the complaint. If more time is required, the County Administrator shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to

Pottawatomie County's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the County Administrator for concurrence. If the County Administrator concurs, he or she shall issue Pottawatomie County's written response to the Complainant. This final report should include a summary of the investigation, all findings with recommendations, corrective measures where appropriate.

Note: Upon receipt of a complaint, Pottawatomie County shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA-Region 7 contacts.

3. Request for Reconsideration

If the Complainant disagrees with Pottawatomie County's response, he or she may request reconsideration by submitting the request, in writing, to the County Administrator 10 calendar days after receipt of Pottawatomie County's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by Pottawatomie County. The County Administrator 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 Pottawatomie County agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2 above.

4. Appeal

If the request for reconsideration is denied, the Complainant may appeal the County Administrator's response by submitting a written appeal to the Board of County Commissioners no later than 10 calendar days after receipt of the County Administrator's written decision rejecting reconsideration. The Board of County Commissioners will then make a determination to either request re-evaluation by the staff review officer(s) 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 Pottawatomie County'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

Pottawatomie County Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the Pottawatomie County. 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:

Pottawatomie County
 PO Box 348
 Westmoreland KS 66549

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				

Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Population within service area	95%	4%	<1%	<1%	<1%	<1%
Agency Board of Directors	100%	0%	0%	0%	0%	0%
Agency Staff	99%	0%	<1%	0%	<1%	0%