

Notifying the Public of Rights Under Title VI

Harper County Dept. on Aging

*Harper County Dept. on Aging operates its programs and services without regards 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 the Title VI may file a complaint with the Harper County Dept. on Aging.

*For more information on the Harper County Dept. on Aging's civil rights program, and the procedures to file a complaint contact 620-842-5104; email aging@harpercountyks.gov; or visit our administrative office at 201 North Jennings, Anthony, KS 67003. For more information, visit www.harpercountyks.gov.

*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

**Harper County Department on Aging
Harper County Public Transportation Services
Post Office Box 462, 201 North Jennings Street
Anthony, Kansas 67003
Telephone 620-842-5104 or Toll Free at 877-537-2110
FAX 620-842-3455
E-mail: aging@harpercountyks.gov**

Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the services of Harper County Dept. on Aging.

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 regulations 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.

Harper County Dept. on Aging 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 the Harper County Dept. on Aging's federal 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 Harper County Dept. on Aging, may file a written complaint with the Harper County Dept. on Aging's County Aging Director. A sample complaint form is available for downloading at www.harpercountyks.gov and is available in hard copy at the office of Harper County Dept. on Aging. Upon request, Harper County Dept. on Aging will mail the complaint form. **Such complaint must be filed within 180 calendar days after the date the discrimination occurred.**

Notes: Assistance in the preparation of any complaint will be provided to a person or persons upon request and as appropriate. If information is needed in another language, then contact, Harper County Dept. on Aging at 620-842-5104.

Complaints should be mailed to or submitted by hand to:

Harper County Dept. on Aging
201 N. Jennings, P.O. Box 462
Anthony, KS 67003
ATTN: County Aging Director

2. Referral to Review Officer.

Upon receipt of the complaint, the County Aging Director 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 Aging Director 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 Harper County Dept. on Aging's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the County Aging Director for concurrence. If the County Aging Director concurs, he or she shall issue the Harper County Dept. on Aging's written response to the Complainant. This final report should include a summary of the investigation; all findings will recommendations, corrective measures where appropriate.

Note: Upon receipt of a complaint, the Harper County Dept. on Aging 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 the County Aging Director's response, he or she may request reconsideration by submitting the request, in writing, to the County Aging Director within 10 calendar days after receipt of the County Aging Director response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the County Aging Director. The County Aging Director 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 agency County Aging Director 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 Aging

Director's response by submitting a written appeal to the Harper County Commissioner's no later than 10 calendar days after receipt of the County Aging Director's written decision rejecting reconsideration. The Harper 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 Harper County Dept. on Aging'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

Harper County Dept. on Aging - Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the *Harper County Dept. on Aging*. 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.				
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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:

**Harper County Dept. on Aging
201 N. Jennings, P.O. Box 462
Anthony, KS 67003**

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				

**Harper County Dept. on Aging
Transit Public Participation Plan Outline**

1. Brief description of provider’s activities and services.

Harper County Dept. on Aging has been providing transportation services to the Harper County area for 36 years. The transportation service was funded through the Older Americans Act until funding was received through KDOT in 1984. We transport passengers in Harper County and surrounding areas for medical, shopping, school, jobs, senior centers and personal errands.

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

Harper County Dept. on Aging would notify the public of any change in fares, service hour changes and policy and procedure changes.

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

- * Advertise in the 3 city papers.
- * Dept. on Aging office makes monthly calendars with phone number and schedules.
- * Public input if there is a big change in the service provided in Harper County.
- * Welcome to come to the Harper County Commissioners meeting to voice what they would like to see changed with the service.

4. Brief description of outreach methods to engage minority and Limited English Proficiency (LEP) individuals (i.e. translation of public meeting materials, providing translation services if requested, targeted media messages in low income neighborhoods of service area, work with existing neighborhood and advocacy organizations).

This section should closely coordinate with the LEP Plan.

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

- The Dept. desires to have actively engaged transit riders, stakeholders and member of the general public in the decision making process.
- The Dept. 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 Dept. desires to provide timely information about transportation issues and processes to transit riders, stakeholders and members of the general public.

- The Dept. will provide responses to all public input as appropriate.
- The Dept. will have established a timetable for review of the Public Participation Process to ensure it provides full and open access to all.

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

- Advertising on a weekly and monthly basis in area wide newspapers.
- Monthly calendars are posted in various places throughout the county.
- Dept. is included in Harper County website under Aging Dept. and Transportation.
- Dept. had annual surveys and acts upon the concerns that are shown.
- Yearly public notices in newspaper.

Limited English Proficiency Plan

Using the above information collected develop a plan to provide necessary assistance to LEP persons.

Identified LEP individuals:

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

Language Assistance Measures:

We would utilize an interpreter to help with communication and scheduling of rides for those with language barriers. The same is true for riders that we provide services to.

Training Staff:

The Dept. Staff will communicate with the interpreter to schedule the rides. The drivers will communicate as best as possible with the riders during the route.

Providing Notice:

The LEP Plan will be posted in the Harper County Dept. on Aging office and the agencies website, www.harpercountyks.gov, under the Dept. on Aging and Transportation. LEP Plan will be provided to any person requesting a copy by contacting the County Aging Director at (620) 842-5104.

Monitoring and Updating the LEP Plan:

Harper County Dept. on Aging will update the plan according to the Title VI update schedule, which is every three years. The plan will also be updated any time changes in the demographics of the agencies service area are deemed significant in regards to LEP persons.

Language Assistance Plan
Limited English Proficiency Plan (LEP) Preview

The purpose of developing an LEP, as a recipient of federal funds, is to identify the extent of LEP individuals and identify ways that the transit agency can reduce or eliminate barriers to LEP individuals.

Four Factor Analysis

- 1) Identify the number of or proportion of LEP individuals that can utilize the services provided by Harper County Dept. on Aging.** Using the 2007-2011 American Community Survey Data, we find that there are no language groups that fit the criteria of more than 5% to total population and more than 50 persons who “speak English less than very well”. We do serve some individuals who would be categorized as this. In that case, we rely on interpreters to assist us with communication and scheduling rides and services for those individuals.
- 2) Identify the frequency in which LEP individuals come in contact with the services.** Although there are no language groups that currently qualify as a LEP group, we serve several language groups on a regular basis.
- 3) Identify the importance of the service to the LEP community.** The importance of serving LEP community; Harper Co. Dept. on Aging serves everyone in Harper County that needs transportation to medical, nutritional sites, beauty shops, stores, jobs and anywhere that they may need to go. We go through an interpreter to schedule rides and our drivers work the best they can at communicating with the LEP rider.
- 4) Identify the resources available and the respective cost of these resources.** Currently, the interpreters are either volunteer or family members of the individuals who speak English less than very well, so there is not cost associated with this resource.

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

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Population within service area	96%	4.9%	.6%	.3%	1.9%	2.4%
Agency Board of Commissioners	100%	0%	0%	0%	0%	0%
Agency Staff	100%	0%	0%	0%	0%	0%

Updated and Approved 11/21/2016