

KI BOIS Area Transit System Title VI Policy

**Approved by the KI BOIS Board
1/27/2017**

**Charla Sloan, Transit Director
P.O. Box 727
Stigler, OK 74462**

This document was prepared by KI BOIS Area Transit System (KATS) and approved by its Board of Directors to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation’s FTA Circular 4702.1B “Title VI Requirement and Guidelines for Federal Transit Administration Recipients.”

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List of Locations Where Title VI Notice Is Posted:

KATS Main Office	1107 Industrial Rd	Stigler
Checotah Office	110 Paul Carr Drive	Checotah
Coweta Office	204 N. Broadway	Coweta
Eufaula Office	107 McKinley Suite 1	Eufaula
Henryetta Office	609 West Main	Henryetta
Holdenville Office	224 East Popular St.	Holdenville
McAlester Office	609 East Peoria St.	McAlester
Okemah Office	301 S. Woody Guthrie	Okemah
Porter Office	617 S. Main	Porter
Poteau Office	204 Wall St.	Poteau
Sallisaw Office	3200 W. Cherokee	Sallisaw
Spiro Office	206 South Main	Spiro
Stilwell Office	310 West Locust	Stilwell
Tahlequah Office	17846 South Muskogee	Tahlequah
Talihina Office	900 Dallas	Talihina
Wetumka Office	120 East HWY 9	Wetumka
Wilburton Office	309 West Main	Wilburton
Revenue Service Vehicles	Varies	Varies
Website	www.kibois.org	Transit Bus Tab

TITLE VI PROGRAM POLICY

KI BOIS Community Action Foundation, Inc.

dba KI BOIS Area Transit System

Effective: May 29, 2014
Updated January 26, 2017

Ref: FTA Circular 4702.1A Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients

Purpose: The purpose of this policy is to establish guidelines to effectively monitor and ensure that the KI BOIS Community Action Foundation, Inc. hereinafter referred to as “Subrecipient” dba KI BOIS Area Transit System, hereinafter referred to as “Transit Provider” is in compliance with all FTA Title VI requirements and regulations in order to carry out the provisions of the Department of Transportation's (DOT) Title VI Regulations at 49 CFR Part 21.

Policy: Effective January 26, 2017, the Subrecipient will ensure that their programs, policies, and activities all comply with the Department of Transportation's (DOT) Title VI regulations. The Subrecipient is committed to creating and maintaining public transit service that is free of all forms of discrimination. The Subrecipient will take whatever preventive, corrective and disciplinary action necessary for behavior that violates this policy or the rights and privileges it is designed to protect.

Required to provide an annual Title VI certification and assurance. To ensure accordance with 49 CFR Section 21.7, every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI of the Civil Rights Act of 1964. This requirement shall be fulfilled when the applicant submits its annual certifications and assurances to FTA. The text of FTA's annual certifications and assurances is available on FTA's Web site. The Subrecipient complies with this instruction annually in order to receive FTA funding.

Required to notify beneficiaries of protection under Title VI. In order to comply with 49 CFR Section 21.9(d), Subrecipients shall provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Subrecipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the Subrecipient's Web site. The Transit Provider has information on their web-site as well as signage posted on all public transit vehicles and facilities.

Required To Develop Title VI Complaint Procedures. In order to comply with 49 CFR Section 21.9(b), Subrecipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. The Subrecipient provides for staff to take complaints and then forward them to the Title VI Complaint Coordinator (Operations Manager) who categorizes,

tracks them, develops responses and forwards them to the Transit Provider Director for approval.

Required to record Title VI investigations, complaints and lawsuits. In order to comply with 49 CFR Section 21.9(b), subrecipients shall prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the Subrecipient that allege discrimination on the basis of race, color, or national origin. This list shall include the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the Subrecipient in response to the investigation, lawsuit, or complaint. System Title VI Complaint Coordinator (Transit Director) maintains these files. The Transit Provider has had no Title VI investigations, complaints or lawsuits that have occurred between March 1, 2014 to December 31, 2016 and the submission of this program.

Required to provide meaningful access to Limited English Proficient (LEP) persons. Title VI and its implementing regulations require that FTA subrecipients take responsible steps to ensure meaningful access to the benefits, services information, and other important portions of their programs and activities for individuals who are Limited English Proficient. Transit Provider's public transit information brochure has their English written material available in Spanish as well. If there are other language groups identified then the Transit Provider will respond by providing instructions on how to use the public transit system in their language with Board of Directors approval.

Required to provide additional information upon request. At the discretion of the FTA, information other than that required by the referenced circular may be requested, in writing, from a subrecipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements. The Transit Provider's Title VI Complaint Coordinator (Transit Director) is available to provide additional information as needed and to respond to any inquiry.

Required to prepare and submit a Title VI Program. FTA requires subrecipients to report certain general information to determine their compliance with Title VI. The collection and reporting of this program constitute the subrecipient's Title VI Program. To ensure compliance with 49 CFR Section 21.9(b), FTA requires that all subrecipients document their compliance with this chapter by submitting a Title VI Program to FTA's regional civil rights officer once every three years.

Discrimination

Any act or omission of an act which would prevent the use of or exclude a person from access to public transportation based on (but not limited to) race, sex, disability, or religion.

Responsibilities

All employees of the Transit Provider shall follow the intent of these guidelines in a manner that reflects Subrecipient's policy.

Supervisors and managers receiving information regarding violation(s) of this order shall determine if there is any basis for the allegation and shall proceed with resolution as stated in the sections *Supervisor Responsibility* and/or *Investigation of Complaints and Appeal Process*.

Supervisor Responsibility

Each supervisor and manager shall:

- 1) Ensure that there are no barriers to service or accommodation that would prevent public transit usage or access.
- 2) Train subordinates as to what constitutes discrimination and barriers to access.
- 3) Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination.
- 4) Notify the Transit Director in writing of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color or national origin by the KI BOIS Area Transit System may file a Title VI complaint by completing and submitting KATS Title VI Complaint Form. KATS investigates complaints received no more than 180 days after the alleged incident. The Authority will only process complaints that are complete.

The following procedures will be followed to investigate formal Title VI complaints:

- Within 10 business days of receiving the complaint, the KATS Title VI Program Administrator Charla Sloan will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.
- The investigation will be conducted and completed within 30 days of the receipt of the complaint.
- If more information is needed to resolve the case, KATS may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to Charla Sloan, Title VI Administrator investigator. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, KATS can administratively close the case.
- The complainant will be notified in writing of the cause to any planned extension to the 30-day rule.
- A case can be administratively closed also if the complainant no longer wishes to pursue their case. Following the investigation, the Title VI Administrator will issue one of two letters to the complainant: 1) a closure letter or 2) A Letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional information and arguments, and to separation of functions (i.e. a decision by a person not involved with the initial decision to deny eligibility). The complainant is entitled to receive written notification of the decision of the appeal and the reasons for it.

- The complainant may also file a complaint directly with the Federal Transit Administration, as follows: Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor- TCR%, 1200 New Jersey Ave., Washington D.C. 20590

Investigation of Complaints and Appeal Process

Various methods of resolution exist. If a customer feels that her/his accommodation request and/or access to public transportation was denied, s/he may file a complaint through the following process:

- 1) Submit a customer complaint form with contact information
- 2) Phone the transit office at 1-800-289-7228
- 3) E-mail the transit office at charla.sloan@kibois.org
- 4) Come into the transit office located at 1107 Industrial Rd, Stigler, OK 74462
- 5) Mail a written complaint to P.O. Box 727, Stigler, OK 74462

The Transit Provider Director will investigate the complaint and make a determination. Formal investigation of the complaint will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names any witnesses. Customer will be notified of resolution.

If the complainant is not satisfied with the resolution, an appeal process is available. An appeal request for review of a determination of unlawful denial of access or accommodation to public transportation must be filed, in writing, within 180 calendar days of the incident. The written appeal must include the customer's name, address, and telephone contact number. A statement of reason(s) why the applicant believes the denial of accommodation request or access to public transportation was inappropriate is recommended.

The Board of Directors will set a mutually agreed-upon time and place for the review process with the applicant and/or representatives within 30 days of the request. The applicant may submit documents or other information to be included with the record and considered in the review process. A record of the review will be kept, as determined by the Board of Directors. Anyone needing special accommodations may contact the Subrecipient's administrative office at 1-800-299-4479 for assistance.

The right of the appellant to a prompt and equitable resolution of the complaint must not be impaired by the appellant's pursuit of other remedies, such as filing of a complaint with the Department of Justice or other appropriate federal agency or the filing of a suit in state or federal court. Use of this procedure is not a prerequisite to the pursuit of other remedies.

Disposition of Complaints

Sustained Complaints - If the complaint is substantiated, this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to the agency disciplinary procedures.

Unsustained Complaints - If there is insufficient evidence to either prove or disprove the allegation(s) both parties to the complaint will be informed of the reason(s) for this disposition.

Unfounded Complaint - If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of unfounded shall be made.

Exonerated Complaints - If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

List of Transit –Related Title VI Investigations, Complaints, and Lawsuits

KATS has not been involved in any transit-related Title VI investigations, complaints, or lawsuits since February, 2014.

Public Participation Plan

As part of its Title VI Program, KATS is bolstering its public participation processes. KATS is also enhancing its strategies for engaging minority and Limited English Proficient individuals. This plan provides guidelines for involving the public in KATS planning efforts to ensure that all groups are represented and their needs considered.

KATS is committed to ensuring it serves the KI BOIS twelve county area fairly, consistently and in the most cost-efficient and appropriate manner within available resources. Through conversation and collaboration with riders, prospective riders, and the larger surrounding community, KATS will be able to assess the quality of its service, measure potential impacts to the community from KATS initiatives or proposed initiatives, and ensure that it is providing valuable services to the residents and visitors of our area.

The public participation process is in three levels:

1. We hold Community Meetings in each county annually providing free transportation.
2. KI BOIS Community Action Foundation sends thousands of surveys in the many programs that we have asking for needed services.
3. KATS makes random calls to riders, asking about how we are doing and how we could improve.


KI BOIS Community Action Foundation, Inc. tries to meet the needs through our programs i.e. housing, food bank, utilities, clothing bank, transportation, prescription services. Our different programs are all listed on our website www.kibois.org that has ADA capabilities.

We have brochures in English and Spanish and we also have a TDD number 1-800-722-0353.

KI BOIS Community Action changes people's lives, embodies the spirit of hope, improves communities and makes America a better place. We care about the entire community and we are dedicated to helping people help themselves and each other.

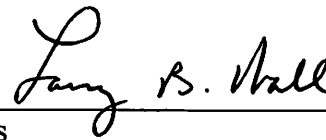
COPY OF BOARD RESOLUTION

The KI BOIS Community Action Foundation, Inc.'s Board of Directors hereby approves and adopts the KI BOIS Area Transit System's Title VI Policy as reviewed during the board's monthly meeting on January 26, 2017.



Board Chair

1-26-17
Date



Witness

1-26-17
Date

See Attachments:

A. Notifying The Public of Rights

B. LEP Plan