

TITLE VI COMPLAINT PROCEDURES

Any person who believes she/he has been discriminated against on the basis of race, color, or national origin by the Kootenai County Transit System (hereinafter referred to as “the Transit System”) may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The Transit System investigates complaints received no more than 180 days after the alleged incident and will only process complaints that are complete.

Once the complaint is received, the Transit System 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 within 10 working days.

The Transit System has 90 days to investigate the complaint. If more information is needed to resolve the case, the Transit System may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the Transit System can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or 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. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

The written or verbal appeal must include the complainant’s name, address and telephone/contact number and information and a statement of the reason(s) why the applicant is appealing the decision.

The right of the complainant to prompt an equitable resolution of the complaint must not be impaired by the complainant’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

Each complaint filed will end up with one of the following disposition.

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 disciplinary procedures.

NOT SUSTAINED 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.

Notification of beneficiaries of protection under Title VI In order to comply with 49 CFR Section 21.9(d), recipients shall provide information to the public regarding their Title VI obligations and apprise members of the public and the protections against discrimination afforded them by TITLE VI.

UNFOUNDED COMPLAINTS – If it is determined that an act reported pursuant to this policy/procedure did not in fact occur; an unfounded finding 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.

RECORD KEEPING OF TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

Should incidents, investigations, complaints, and lawsuits occur, they will be forwarded to the Kootenai County Transit Office, to be kept on file. They will be kept in chronological order of happenings with resolutions filed with each case. Should case(s) end in a court action, then all documents contained become part of the records kept.

PROVISION OF 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 recipient in order to investigate complaints of discrimination to resolve concerns about possible noncompliance with Title VI requirements. Kootenai County's Title VI Officer.

PREPARATION AND SUBMISSION OF THE TITLE VI COMPLIANCE PROGRAM

FTA requires recipients to report certain general information to determine their compliance with Title VI. The collection and reporting of this program constitute the recipients' TITLE VI PROGRAM. To ensure compliance with 49 CFR Section 21.9(b), FTA requires that all recipients document their compliance with this chapter by submitting a Title VI Program to FTA'S regional Civil Rights Officer once every three years.

PROHIBITION OF DISCRIMINATION

The Kootenai County Transit System prohibits 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, color or national origin.

RESPONSIBILITIES

Contractors, subrecipients, and service partners of the Kootenai County Transit System shall follow these guidelines in a manner that reflects this policy. Those who receive information regarding a violation and/or violations of this policy shall forward it on to the Title VI Officer to determine if there is any basis for the allegation and shall proceed with resolution as stated in the investigation of Complaints and Appeal Process.