

**Smith Center Public Transportation  
City of Smith Center  
119 W. Court  
Smith Center, KS 66967**

**Title VI Complaint Procedure**

The following pertains only to Title VI complaints regarding the services of Smith Center Public Transportation.

Title VI, 42U.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 grounds 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.

Smith Center 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 the Smith Center 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 Smith Center Public Transportation Program, may file a written complaint with the City of Smith Center City Clerk. A complaint form is available at the City Office. Upon request, the City of Smith Center 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 City Clerk at 785-282-3812.

Complaints should be mailed to or submitted to:

City of Smith Center  
119 W. Court  
Smith Center, 66967  
ATTN: City Clerk

**2. Referral to Review Officer**

Upon receipt of the complaint, the City Clerk will evaluate and investigate the complaint. If necessary, the complainant shall meet with the City Clerk to further explain his or her complaint. The City 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 City Clerk shall notify the Complainant for the estimated time frame for completing the review. Upon completion of the review, the City Clerk shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the City Clerk may recommend improvements to the City of Smith Center City Council relative to Title VI, as appropriate. The City 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, Smith Center Public Transportation shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA contacts.***

### **3. Request for Reconsideration**

If the Complainant disagrees with the City Clerk's response, he/she may request reconsideration by submitting the request, in writing, to the City Clerk within 10 calendar days after receipt. The request for reconsideration shall be sufficiently detailed to contain any items the complainant believes were not fully understood by the City Clerk. The City Clerk will notify the complainant of his/her decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the City 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 City Clerk's response by submitting a written appeal to the City of Smith Center City Council no later than 10 calendar days after receipt of the City Clerk's written decision rejecting reconsideration. The City Council will then make a determination to either request re-evaluation by the City 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 City Council'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  
3<sup>rd</sup> Floor West  
Topeka, KS 66603

### **Smith Center Public Transportation Transit Public Participation Plan Outline**

#### **1. Brief description of provider's activities and services:**

Smith Center Public Transportation provides services to anyone within the Smith Center City limits, Monday through Friday from 8:00am to 4:00pm.

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

Smith Center Public Transportation would notify the public of any fare changes, service hour changes, policy changes or procedure changes.

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

Public meetings to be held at convenient times and accessible locations.

Various advertising platforms would be utilized (local newspaper, City website, notices)

Database of contacts (elected officials, KDOT public transit staff, local media)

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

Online translation tools, an interpreter if requested.

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

- The agency strives to give adequate public notice of public participation activities and allow proper time for public review and comment.
- The agency desires to provide timely information about transportation issues and processes to riders and members of the general public.
- The agency will provide responses to all public input as appropriate.
- The agency will establish 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.

We continually review our service with our riders on how they believe our program is working and if, in their opinion, any changes need to be made or suggestions of improvements.

### **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 population groups that meet the criteria of more than 5% and more than 50 persons.

### **Language Assistance Measures**

We would utilize an interpreter to help us with communication and scheduling of rides for those who have a language barrier. We would also use online translation tools, as well as a sign language interpreter.

### **Training Staff**

The driver or office 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 is available at the City Office and will be provided to any person requesting a copy. The contact in regards to the LEP Plan is the City Clerk, available at 785-282-3812.

### **Monitoring and Updating the LEP Plan**

Smith Center Public Transportation will update the plan according to the Title VI update schedule, which is every three years. The plan will also be updated any time there are 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 a 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 service provided by Smith Center Public Transportation.

Using survey data, we found 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.

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 at this time.

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

There are no language groups that currently qualify as a LEP group at this time.

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

The interpreters would be volunteer, faith based or family members of the individuals who speak English less than very well. There would be minimal or no cost associated with interpreters. The use of online translation tools would be used to translate documents. The cost associated would be determined by the number of pages required to be reprinted.