

Notifying the Public of Rights Under Title VI City of Smith Center Public Transportation Program

- The City of Smith Center 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 the City of Smith Center, Kansas
- For more information on the City of Smith Center's civil rights program, and the procedures to file a complaint, contact 785-282-3812; email clerk@smithcenterks.com; or visit our administrative office at 119 W. Court Street, Smith Center, Kansas, 66967. For more information, visit www.smithcenterks.com.
- 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
- Copies of this notice are placed in the City Offices; Smith Center Public Library; Transportation Vehicles; and the Smith Center Chamber of Commerce.
- Brochures are at the Smith Center Memorial Hospital; Smith County Family Practice; Smith Center Public Library; Smith Center Chamber of Commerce; Gardner Wellness Center; Transportation Vehicles; and the City Offices.
- If information is needed in another language, contact 785-282-3812. Wenn Informationen in einer anderen Sprache benötigt werden, wenden Sie sich an 785-282-3812. 如果需要其他语言的信息 · 请联系 785-282-3812。Rúguǒ xūyào qítā yǔyán de xīnxī, qǐng liánxi 785-282-3812.



City of Smith Center
119 W. Court St. – Smith Center – Kansas – 66967
Plan Outline

1. Activities and Services

Smith Center General Public Transportation serves the citizens and guests of Smith Center and Smith County, Kansas by providing transportation for medical and mental health, banking, shopping, meals, social events, employment, and more.

2. Public Participation

Notifications to the public on fare changes, adjustment to service hours, and/or service area changes are made prior to occurrence. Notifications are published, available on the website, shared in the transportation vehicles and the offices. Smith Center General Public Transportation seeks input from riders and other members of the public to best meet the needs of the community.

3. Proactive public participation strategies

Various platforms are utilized for advertising such as the newspaper, website, and printed notices (including elected officials, KDOT public transportation staff, local media). Direct mailings are sent to the riders and other members of the general public.

4. Outreach methods to engage minority and Limited English Proficiency (LEP) individuals

Online translation tools can be utilized; an interpreter can be available if requested.

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

In general, desired outcomes could include, but are not limited to, the following:

- *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 allow 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.*
- *The agency will have facilitated effective communication among a diverse group of stakeholders.*

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

As our program continues to grow and evolve, Smith Center General Public Transportation has shared information on expanded service areas, fare changes, and general information in person; postcard mailings; published in the newspaper; shared with riders on the transit vehicles; website; and in meetings. It is vital to our program that the riders and other community members share their input on the program and if in their opinion, there are any changes that need to be made or suggestions of improvements to share.

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. The purpose of developing an LEP plan, as a recipient of federal funds, is to identify the extent of LEP individuals in the region and identify ways that the transit agency can reduce and/or eliminate the barriers to LEP individuals. The starting point for developing this plan is to perform a four factor analysis to determine the individualized needs of the region. After these needs are identified, the transit agency develops a language assistance plan addressing the mix of services that will be provided.

Four Factor Analysis

- (1) Identify number of or proportion of LEP individuals that can utilize the service provided by *the Smith Center General Public Transportation Program*: Using the survey data below, we found that there are no language groups that fit the criteria of more than 5% of the total population.

<i>Total in Smith County</i>	<i>3541</i>
<i>Total that speak only English</i>	<i>3489</i>
<i>Total that speak Spanish very well</i>	<i>21</i>
<i>Total that speak German very well</i>	<i>19</i>
<i>Total that speak Tagalog (Phillippine)</i>	<i>5</i>
<i>Total that speak French</i>	<i>2</i>
<i>Other Asian and Pacific Island Languages</i>	<i>5</i>

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

LEP individuals come in contact with our service less than 5% of the time.

(3) Identify the importance of the service to the LEP community:

Our LEP ridership depends on us for their transportation services to medical appointment, shopping, and recreational activities. Many are lower income, do not have access to a vehicle, or are unable to drive. Without the availability of low-cost transportation, some services may not be achievable financially.

(4) Identify the resources available and the respective costs of these resources:

Interpreters would be volunteer, faith based or family members of the individuals who speak English less than very well. If there is a cost charged for an interpreter, the organization would cover the cost. 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, and likely absorbed by the sponsoring agency.

Limited English Proficiency Plan

Identified LEP individuals

There are no specific population groups that meet the criteria of more than 5%. As a result, a written translation is not required.

Language Assistance Measures

Smith Center General Public Transportation would utilize an interpreter to help us with communication and scheduling of rides for those who have a language barrier. Online translation tools, and/or a sign language interpreter could be utilized.

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 Offices and website; and will be provided to any person requesting a copy. The person to contact regarding the LEP Plan is the City Clerk, available at 785-282-3812.

Monitoring and Updating LEP Plan

Smith Center General 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 that are deemed significant in regards to LEP persons.

Title VI Complaint Procedures

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

The Smith Center 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 the Smith Center General Public Transportation'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 the *(agency name)*, may file a written complaint with the *(agency name)*'s (Title VI Coordinator/Director/CEO). A sample complaint form is available for download at *(provide link to complaint form)* and is available in hard copy at the offices of *(agency name)*. Upon request, the *(agency name)* 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, then contact the City Clerk at 785-282-3812. (Please see 1 in footnote below.)

Complaints should be mailed to or submitted by hand to:

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

2. Referral to Review Officer

Upon receipt of the complaint, the Transit Manager/City Clerk 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 Transit Manager/City Clerk 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 the Smith Center General Public Transportation Program's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the, Transit Manager/City Clerk for concurrence. If the Transit Manager/City Clerk concurs, he or she shall issue the Smith Center General Public Transportation'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, the Transit Manager/City Clerk 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 Smith Center General Public Transportation's response, he or she may request reconsideration by submitting the request, in writing, to the Transit Manager/City Clerk within 10 calendar days after receipt of the agency's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Smith Center General Public Transportation. The Transit Manager/City Clerk 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 Transit Manager/City Clerk 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 Transit Manager/City Clerk's response by submitting a written appeal to the City of Smith Center no later than 10 calendar days after receipt of the Transit Manager/City Clerk's written decision rejecting reconsideration. The City of Smith Center 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 City of Smith Center'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 Civil Rights Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

Smith Center General Public Transportation Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the Smith Center General Public Transportation. 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:

City of Smith Center, Transit Manager/City Clerk
 119 W. Court
 Smith Center KS 66967

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	95.8%	2.7%	0.4%	0.5%	0.1%	0.5%
City Council	100%	0	0	0	0	0