

TITLE VI REPORT

FY 2011

Owensboro Transit System

General Requirements & Guidelines

Certification & Assurances

- The most recent date of the City of Owensboro's signed Annual Certifications and Assurances is November 2, 2010.

Develop Complaint Procedures

- See attached Title VI Policy Statement, Complaint Form, and Notice to the Public.

Record Title VI Investigations, Complaints, and Lawsuits

- No lawsuits or complaints alleging discrimination have been filed against the Owensboro Transit System during the past two years. There have been no Title VI Investigations conducted by the FTA or any other agency.

Provide Meaningful Access to LEP Persons

- Owensboro does not have, nor does OTS serve, a large proportion of LEP persons. Therefore, OTS has determined there is not necessary at this time to develop a written LEP plan. The following documents are readily available to the public in Spanish:
 - OTS route and trolley maps
 - OTS website: www.owensboro.org/Departments/Transit/Spanish
 - All Public Participation Plan documents pertaining to OTS

Notify Beneficiaries of Protection under Title VI

- Notices that the City of Owensboro and OTS complies with Title VI, and directions on how to obtain additional information and/or file a complaint shall be posted conspicuously in the following areas:
 - All transit busses
 - Lobby of the transit office
 - Lobby of City Hall
 - City of Owensboro website

Provide Additional Information Upon Request

- The City of Owensboro will provide any information requested by the FTA in order to facilitate the investigation of complaints or to resolve concerns about possible noncompliance with Title VI.

Summary of Public Outreach

- Owensboro Transit System's manager has attended several classes of Adults learning English and described our system. We have also left Spanish maps in several businesses. We have visited all the senior retirement homes and explained our transit system. Local schools have brought their classes to our office and we have talked with them about "How to Ride the Bus".



Owensboro Transit
System
Fax (270) 687-8573

CITY OF OWENSBORO KENTUCKY

430 Allen Street
P.O. Box 10003
Owensboro, KY 42302-9003
Phone (270) 687-8570

Title VI Policy Statement

The Owensboro Transit System (OTS) operates as a department of the City of Owensboro, Kentucky. Service is presently provided on six fixed routes in addition to a trolley route. The City of Owensboro has contracted with the Green River Intra-County Transit System (GRITS), which is a rural transit system, to provide demand-response paratransit service for persons with disabilities.

The City of Owensboro grants all citizens equal access to its transportation services and is committed to a policy of non-discrimination in the conduct of all business. It is the City's policy to utilize its best efforts to make citizens aware of their rights as provided by Title VI of the Civil Rights Act of 1964.

Toward this end, it is the City's objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensure meaningful access to programs and activities by persons with limited English proficiency.

The OTS Transit Manager and the Community Relations Specialist share the responsibility for carrying out the City's commitment to Title VI. They are responsible for the day-to-day operation of the program and investigate all Title VI complaints that come through the complaint procedures process.

However, all City and OTS staff share in the responsibility of making the City of Owensboro's Title VI Program a success.



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Title VI Complaint Procedures

The City of Owensboro, Kentucky, which operates the Owensboro Transit System, is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities –the delivery of equitable and accessible transportation services. It is the City’s policy to utilize its best efforts to assure that no person 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 its program of transit service delivery and related benefits.

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by the City.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Title VI complaints:

1) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant’s name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age, limited English), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

The City of Owensboro strongly encourages the use of the official Title VI Complaint Form when filing official complaints. Reasonable measures will be undertaken to preserve any information that is confidential.

The preferred method is to file your complaint in writing using the Title VI Complaint Form, and sending it to:

Transit Manager/Title VI Coordinator
Owensboro Transit System
430 Allen St
Owensboro, KY 42303

2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the City’s Title VI Coordinator. Under these

circumstances, the complainant will be interviewed, and the Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within fifteen (15) days by registered mail.

4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5) Within 20 business days from receipt of a complete complaint, the City will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within seven (7) days of this decision, the Transit Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.

a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

b. If the complaint is to be investigated, the notification shall state the grounds of the City's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

6) When the City of Owensboro does not have sufficient jurisdiction, the Transit Manager, or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

7) If the complaint has investigative merit, the Transit Manager or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Transit Manager within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.

8) The Transit Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.

9) If the Complainant is dissatisfied with the City's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590



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Title VI Complaint Form

Instructions: If you would like to submit a Title VI complaint to the City of Owensboro, please complete this form and mail it to: Transit Manager/Title VI Coordinator, 430 Allen St, Owensboro KY 42303. For questions or a full copy of the City of Owensboro's Title VI Policy statement, please write Owensboro Transit System at 430 Allen St. Owensboro, KY 42303, or call at (270) 687-8570.

1. Name (Complainant):		
2. Phone:	3. Home address (street no., city, state, zip):	
4. If applicable, name of person(s) who allegedly discriminated against you:		
5. Location and position of person(s) if known:	6. Date of incident:	
7. Discrimination because of:		
<input type="checkbox"/> Race/Color	<input type="checkbox"/> SOX (includes sexual harassment)	<input type="checkbox"/> Vietnam Era Veteran
<input type="checkbox"/> National origin	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Disabled Veteran
<input type="checkbox"/> Creed / religion	<input type="checkbox"/> Marital status	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Limited English
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.		

9. Why do you believe these events occurred?	
10. What other information do you think is relevant to the investigation?	
11. How can this/these issue(s) be resolved to your satisfaction?	
12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):	
Name:	Address:
Phone number:	
13. 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 court <input type="checkbox"/> Local agency <input type="checkbox"/> State agency	
If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.	
Agency/Court:	Contact's Name:
Address: Phone number:	
Signature (Complainant):	Date of filing:



NOTICE



BE AWARE of YOUR RIGHTS as PROTECTED UNDER TITLE VI of the CIVIL RIGHTS ACT of 1964

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 PROHIBITS DISCRIMINATION

on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance.

THE CITY OF OWENSBORO, AND THE OWENSBORO TRANSIT SYSTEM (OTS)

are committed to utilizing their best efforts to assure that no person 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, the OTS program of public transit.

IN ORDER TO OBTAIN A COPY OF THE TITLE VI POLICY PLEASE CONTACT

OTS Transit Manager/Title VI Coordinator at:

Address: 430 Allen St. Owensboro, KY 42303

Phone: 270-687-8570

IF YOU FEEL YOUR TITLE VI RIGHTS HAVE BEEN VIOLATED AND WISH TO FILE A COMPLAINT

obtain an official *Title VI Complaint Form* by contacting the **OTS Transit Manager/Title VI Coordinator**. Contact information for this office is listed above. The complaint must be filed no more than 180 days after the incident during which the discrimination is alleged to have occurred.