

TITLE VI COMPLAINT PROCEDURES

Should any Title VI investigations be initiated by FTA or KYDOT, or any Title VI lawsuits are filed against KRCC, INC. the agency will follow these procedures:

PROCEDURES

Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager.

1. The complaint is to be filed in the following manner:
 - A. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - B. The complaint shall be in writing using the designated complaint form and signed by the complainant(s).
 - C. The complaint should include:
 - the complainant's name, address, and contact information (i.e., telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, Include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (Include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the Incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to KYDOT or FTA?)
 - D. The complaint shall be submitted to the KRCC, INC. Title VI Manager.
 - E. Complaints received by any other staff of KRCC, INC. will be immediately forwarded to the Title VI Manager.
 - F. 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 Title VI Manager. Under these circumstances, the complainant will be interviewed, and the Title VI Manager will assist the complainant in converting the verbal allegations to writing.
2. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.

3. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
4. If KYDOT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
5. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
6. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
7. The investigation may also Include:
 - A. investigating contractor operating records, policies or procedures
 - B. reviewing operating policies and procedures
 - C. reviewing scheduling and dispatch records
 - D. observing behavior of the individual whose actions were cited in the complaint
8. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
9. The Title VI Manager will contact the complainant at the conclusion of the investigation, but at the end of the investigation process.
10. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that Includes a narrative description of the Incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, KYDOT, and, if appropriate, KRCC, INC.'s legal counsel.
11. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to KYDOT in the event the complainant wishes to appeal the determination. This letter will be copied to KYDOT.
12. A complaint may be dismissed for the following reasons:
 - A. The complainant requests the withdrawal of the complaint.
 - B. An interview cannot be scheduled with the complainant after reasonable attempts.
 - C. The complainant fails to respond to repeated requests for additional information needed to process the complaint.

13. KYDOT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by KRCC, INC. KYDOT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.