



## **Southeast Kansas Community Action Program, Inc.**

### **Notifying the Public of Rights Under Title VI**

#### **Southeast Kansas Community Action Program, Inc.**

Southeast Kansas Community Action Program, Inc. (SEK-CAP) 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 he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with SEK-CAP.

For more information on SEK-CAP's civil rights program and the procedures to file a complaint, contact 620-724-8204; email [schristiansen@sek-cap.com](mailto:schristiansen@sek-cap.com); or visit our administrative offices at 401 N. Sinnet, Girard, KS 66743. For more information visit us at [www.sek-cap.com](http://www.sek-cap.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, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

If information is needed in another language, contact 800-555-1212.  
Si necesita información en otro idioma, comuníquese al 800-555-1212.

## **Title Vi Complaint Procedure**

The following pertains only to Title VI complaints regarding the services of *Southeast Kansas Community Action Program, Inc.*

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 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.*

Southeast Kansas Community Action Program, Inc. 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 Southeast Kansas Community Action Program, Inc.'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 Southeast Kansas Community Action Program, Inc. may file a written complaint with the Southeast Kansas Community Action Program, Inc. Upon request, Southeast Kansas Community Action Program, Inc. will mail the complaint form to you. **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, contact Scott Christiansen at 620.724.8204.**

Complaints should be mailed to or submitted by hand to:

**Southeast Kansas Community Action Program, Inc.**

**401 N. Sinnet**

**Girard, KS 66743**

**ATTN: Chief Executive Officer**

## **2. Referral to Review Officer**

Upon receipt of the complaint, the Chief Executive Officer (CEO) of Southeast Kansas Community Action Program, Inc. 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 CEO shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) may recommend improvements to Southeast Kansas Community Action Program, Inc.'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, Southeast Kansas Community Action Program, Inc. shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA region 7 contacts.**

## **3. Request for Reconsideration**

If the Complainant disagrees with the CEO response, he or she may request reconsideration by submitting, in writing, to the CEO within 10 calendar days after receipt of the CEO's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the CEO. The CEO 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 CEO 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 CEO's response by submitting a written appeal to Southeast Kansas Community Action Program, Inc. Board of Directors no later than 10 calendar days after receipt of the CEO's written decision rejection reconsideration. The Southeast Kansas Community Action Program, Inc. Board of Directors 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 Southeast Kansas Community Action Program, Inc.'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

**Title VI Complaint Form**

The purpose of this form is to assist you in filing a complaint with Southeast Kansas Community Action Program, Inc. You are not required to use this form; a letter containing the same information will be sufficient.

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
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
<b>Section III:</b>				
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 witness. If more space is needed, please attach additional pages.

**Section IV**

Have you previously filed a Title VI complaint with this agency?	Yes	No
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**Section V**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes                       No

If yes, check all that apply:

Federal Agency: \_\_\_\_\_

Federal Court: \_\_\_\_\_

State Court: \_\_\_\_\_

State Agency: \_\_\_\_\_

Local Agency: \_\_\_\_\_

<b>Section IV</b>		
Have you previously filed a Title VI complaint with this agency?	Yes	No
<b>Section V</b>		
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:		
<b>Section VI</b>		
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:  
 Southeast Kansas Community Action Program, Inc.  
 401 N. Sinnet  
 Girard, KS 66743  
 ATTN: Chief Executive Officer

**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				

## Notifying the Public of Rights Under Title VI

# **SEK-CAP, Inc.**

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  - For more information on SEK-CAP, Inc.'s civil rights program, and the procedures to file a complaint, contact 620-724-8204, email [schriestiansen@sek-cap.com](mailto:schriestiansen@sek-cap.com), or visit our administrative office at 401 North Sinnet, Girard, Kansas 66743. For more information, visit [www.sek-cap.com](http://www.sek-cap.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, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
  - If information is needed in another language, contact 800-555-1212.
  - Si necesita información en otro idioma, comuníquese al 800-555-1212.

### **Southeast Kansas Community Action Program, Inc. Transit Public Participation Plan Outline**

1. Brief description of provider's activities and services

*SEK-CAP General Public Transportation provides round trip and one way services throughout three southeast Kansas counties.*

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

*Southeast Kansas Community Action Program, Inc. would notify the public of any fare changes, service hour changes, route adjustments and policy or procedure changes.*

3. Brief description of the proactive public participation strategies which would be used.
  - a. *Public hearings/meetings/workshops to be held at convenient times and accessible locations.*
  - b. *Various advertising platforms would be utilized (local newspapers, radio and television stations, agency website, Facebook and Twitter).*
  - c. *A database of contacts to include interested members of the public, elected officials, local government staff, KDOT Public transit staff and local media.*
  - d. *When possible, an email would be sent to various list servers, including SEK-AAA, etc.*
  - e. *Direct mailings to the donor mailing list.*
4. Brief description of outreach methods to engage minority and Limited English Proficiency (LEP) individuals (i.e. translation of public meeting materials, providing translation services if



requested, targeted media messages in low income neighborhoods of the service area. Working with existing neighborhood and advocacy organizations).

*SEK-CAP employs multiple bi-lingual staff as well as engages in translation efforts with a native Spanish speaker on a contract basis. When the need arises, we are able to link our customers with appropriate translating.*

5. Brief description of the desired outcomes of the agency's public participation efforts.
  - a. *The agency desires to have actively engaged stakeholders and members of the general public in the decision-making process.*
  - b. *The agency strives to have given adequate public notice of public participation activities and allowed proper time for public review and comment at key decision points.*
  - c. *The agency desires to provide timely information about transportation issues and processes to transit riders, stakeholders and members of the general public.*
  - d. *The agency will provide responses to all public input as appropriate.*
  - e. *The agency will have facilitated effective communication among a diverse group of stakeholders.*
  - f. *The agency will have established 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 offer annual satisfaction surveys to our riders and act upon the concerns shown in the survey responses.*

### **Limited English Proficiency Plan**

Using the 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 individuals.

#### 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 use online translation tools as well as contracting the Language departments at Pittsburg State University to assist with any language barriers we would encounter.

#### Training Staff

The scheduler/dispatcher will communicate with the interpreter to schedule the rides. The drivers will communicate as best as possible with the rider during the route.

### Providing Notice

The LEP Plan will be posted on our agency's website, [www.sek-cap.com](http://www.sek-cap.com). The LEP Plan will be provided to any person or agency requesting a copy. The person to contact regarding the LEP Plan is Scott Christiansen and he can be reached via phone at 620-724-8204 ext. 1024.

### Monitoring and Updating the LEP Plan

Southeast Kansas Community Action Program, Inc. will update the plan according to the Title VI update schedule, which is every three years. The plan will also be updated at any time changes in the demographics of the agencies service area are deemed significant in regard 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 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 Southeast Kansas Community Action Program, Inc.**

Using the most current data from the American Community Survey, we find 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". We do serve some individuals who could be categorized as this, in which case we rely on an interpreter to assist us with communication and scheduling rides for those individuals.

**2. Identify the frequency in which LEP individuals come in contact with the service.**

Although there are no language groups which currently qualify as a LEP group, we do occasionally serve individuals with limited English proficiency.

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

To provide transportation opportunities for medical, personal and other various reasons to individuals in need. When necessary, we utilize an interpreter to communicate and schedule rides for those who speak English less than very well.

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

Currently the Spanish interpreter is an on-site employee, other language interpreters are volunteers, i.e. faith based and /or family members, so there is no cost associated with the service.

**Table Depicting Membership of Committees, Councils, Brocken Down by Race**

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>	<b>Other</b>
Population within service area	83%	5.1%	2.3%	0.6%	1.7%	0.1%
Agency Board of Directors	100%	0%	0%	0%	0%	0%
Agency Staff	94.6%	1.8%	4.0%	0%	1.8%	0%

## FAQ's



SEK-CAP, Inc. General Public Transportation Fleet

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SEK-CAP, Inc. General Public Transportation Bus, Handicap Accessible.

### **What is Title VI?**

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance.

### **What programs are covered by Title VI?**

Approximately 30 Federal agencies provide Federal financial assistance in the form of funds, training, technical and other assistance to State and local governments, and non-profit and private organizations. These recipients of Federal assistance, in turn, operate programs and deliver benefits and services to individuals (known as "beneficiaries") to achieve the goals of the Federal legislation that authorizes the programs.

### **What discrimination is prohibited?**

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color, or national origin, either directly or through contractual means:

- \*Deny program services, aids or benefits
- \*Provide a different service, aid, or benefit, or provide to others; or
- \* Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

### **How Can I File a Complaint?**

A complaint may be filed 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.