

# Geary County Title VI Program

Geary County assures that no person shall on the grounds of race, color, national origin, sex, disability, age or low income status as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Geary County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms “programs and activities” to include all programs or activities of federal aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988).

In the event Geary County distributes federal aid funds to a sub-recipient, Geary County will include Title VI language in all written agreements and will monitor for compliance.

Geary County’s Director of Human Resources is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities.

## **Title VI Program**

Geary County has designated a Title VI Coordinator who is responsible for administration of this procedure and the policy.

## **Assurances**

Geary County hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, sex, disability, age or low income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by Geary County regardless of whether those programs and activities are federally funded or not.
2. That it will promptly take any measures necessary to effectuate this agreement.
3. That each program, activity, and facility will be (with regard to a program or activity) conducted or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this procedure.
4. That these assurances are given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal

financial assistance extended after the date thereof to Geary County by the State of Kansas and the federal government under the federally-funded program is binding on it, other recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants.

## **Implementation Procedures**

### **Geary County will:**

1. Issue a policy statement, approved by the Board of County Commissioners, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Geary County's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by the United States federal government within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this procedure. The Geary County Board of County Commissioners shall be held responsible for implementing Title VI requirements.
3. Designate a Title VI Coordinator who has a responsible position in the organization and easy access to the Board of County Commissioners. The Title VI Coordinator shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. The Title VI Coordinator shall adequately implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date of the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information.
6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by Geary County.
7. Conduct Title VI reviews of Geary County and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures, and directives to include Title VI requirements.

## **Discrimination Complaint Procedure**

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected

to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Geary County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Geary County's Title VI Coordinator for review and action.

2. In order to have complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
  - a. The date of alleged act of discrimination; or
  - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, Geary County or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of Geary County, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Geary County's investigative procedures.
4. Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available.
5. Immediately, upon receipt of a Title VI complaint, Geary County determines a course of action. Possible courses of action include:
  - a. Title VI complaints filed against Geary County may be referred to the Kansas Department of Transportation (KDOT) for processing. KDOT notifies the Federal Highway Administration (FHWA) Division Office of the complaint.
  - b. Title VI complaints filed against Geary County may be referred to the Kansas Department of Emergency Management for processing.
  - c. Title VI complaints filed against Geary County may be referred to the Kansas Department of Health and Environment for processing.

- d. Title VI complaints filed against the Geary County recipients and sub-recipients (e.g., contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, -etc.) are processed by Geary County in accordance with approved complaint procedures.
6. Geary County reviews and determines the appropriate action regarding every complaint. Geary County may decide not to proceed with or continue a complaint investigation if:
  - a. The complaint is, on its face, without merit.
  - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
  - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
7. If an investigation is to be initiated, Geary County determines the method of investigation and who will conduct the investigation.
8. The entire investigation process, including the submission of the final report of the investigation and recommendation to the County Counselor, is to be carried out in a period not to exceed sixty (60) calendar days from the date the original complaint was received by Geary County. The time frame may be extended by the investigator for good and sufficient reason.
9. Geary County acknowledges receipt of the allegation(s) within ten (10) working days. The complainant is notified of the proposed action to be taken to process the allegation(s). The notification letter contains:
  - a. The basis for the complaint.
  - b. A brief statement of the allegation(s) over which Geary County has jurisdiction.
  - c. A brief statement of the Geary County jurisdiction over the recipient to investigate the complaint; and
  - d. An indication of when the parties will be contacted.
10. The investigation consists of an in-depth, personal interview with the complainant(s). Information gathered in this interview includes but is not limited to: identification of each complainant by race, color, sex, age, national origin, disability/handicap, or income status; name of the complainant; a complete statement concerning the nature of the complaint, including names, dates, places, and incidents involved in the

complaint; the date the complaint was filed and any other pertinent information the investigator(s) feels is relevant to the complaint. The interview(s) is recorded, either on audio tape or by an investigator taking notes. The investigator(s) arranges for the complainant to read, make necessary changes to, and sign the interview transcript or interview notes.

11. Following the interviews, the investigator(s) develops a report of the investigation and recommendations based on the facts. The report contains the investigator's(s') findings, conclusions concerning each issue raised in the complaint, and recommendations for corrective action. The report is the last document prepared by the investigator(s). Any other actions taken as a result of the investigator's(s') findings and conclusions are the responsibility of Geary County management.
12. The complainant received a letter from the Geary County detailing the findings and any recommendations for corrective action to be taken based on the facts. All issues in the complaint are addressed.

### **Informal Title VI Complaint Procedure**

1. Title VI complaints may be resolved by informal means. When informal means are used, the complainant is informed of his or her rights to file a formal written complaint.
2. Any complaint received in writing is considered to be a formal complaint and is handled under the formal complaint procedure outlined above.