

The Office of Transportation Delivery of the Kentucky Transportation Cabinet

TITLE VI COMPLAINT PROCEDURE

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

"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 otherwise be subject to discrimination under any program or activity receiving Federal financial assistance,"

KYTC Title VI Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Office of Transportation Delivery of the Kentucky Transportation Cabinet (hereinafter referred to as OTD/KYTC) may file a Title VI complaint by completing and submitting the Office of Transportation Delivery of the Kentucky Transportation Cabinet Title VI Complaint Form. The Office of Transportation Delivery of the Kentucky Transportation Cabinet investigates complaints received no more than 180 days after the alleged incident. The Office of Transportation Delivery of the Kentucky Transportation Cabinet will process complaints that are complete.

A signed written complaint should include:

- Your name, address, telephone number and signature.
- The name and address of the transit agency or transportation program you believe discriminated against you.
- Details of how, why and when you believe your were discriminated against and the names of those involved, if known. Include as much background information as possible about the alleged act(s) of discrimination.
- The names of any persons that OTD can contact for additional information to support or clarify your allegations .

Once the complaint is received, the Office of Transportation Delivery of the Kentucky Transportation Cabinet will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Office of Transportation Delivery of the Kentucky Transportation Cabinet has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, the Kentucky Transportation Cabinet may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, the Office of Transportation Delivery of the Kentucky Transportation Cabinet can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days after the date of the letter or the LOF to do so.

For information on how to file a complaint of discrimination, or to obtain information of a civil rights nature concerning public or specialized transportation services, contact:

ATTN: Mr. Charles Jackson, Title VI Coordinator for USDOT/FTA Programs
Office of Transportation Delivery (OTD)
200 Mero Street, 3rd Floor, West Wing
Frankfort, KY 40622
Phone: (502) 564-7433
Fax: (502) 564-2058
Email: charles.jackson@ky.gov
Kentucky Relay Service:
TDD users: 1-800-648-6056
Voice users: 1-800-6486057

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.18, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations....; lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), The Office of Transportation Delivery of the Kentucky Transportation Cabinet must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by The Office of Transportation Delivery of the Kentucky Transportation Cabinet in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to the Federal Transit Administration (FTA).

The Office of Transportation Delivery of the Kentucky Transportation Cabinet has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in the following table:

Summary of Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

