PRAIRIE BAND POTAWATOMI NATION
TRIBAL COUNCIL RESOLUTION No. 2019-345

Prairie Band Potawatomi General Public Transportation Title VI Policies

WHEREAS: The Prairie Band of Potawatomi Nation (hereafter the "Nation") is a duly organized Tribal entity, with a Constitution and By-Laws approved by the Secretary of the Interior on February 19, 1976, and last amended on December 6, 2007; and.

WHEREAS: Pursuant to Article V of the Prairie Band Potawatomi Constitution, the Tribal Council is the governing body of the Nation with enumerated powers of authority to *negotiate, consult, and contract with Federal, State, local and Tribal governments, private enterprises, individuals, or organizations;* and

WHEREAS: Pursuant to the Prairie Band Potawatomi Constitution, the Tribal Council is charged with the duty of protecting the health, security and general welfare of the Nation and its members and of regulating law and order on the reservation; and

WHEREAS: The Tribal Council wishes to approve the Prairie Band Potawatomi General Public Transportation Title VI Policies.

NOW, THEREFORE BE IT RESOLVED that the Prairie Band Potawatomi Nation Tribal Council does hereby approve the Prairie Band Potawatomi General Public Transportation Title VI Policies.

CERTIFICATION

This resolution was duly adopted on the 30th day of October, 2019 at a Meeting of the Prairie Band Potawatomi Tribal Council, during which (6) members were present, constituting a quorum, by a vote of (5) for, (0) opposed, (0) abstaining, (1) absent from voting and the Chair not voting.

ATTEST:

Joseph P. Rupnick, Chairman

Raphael Wahwassuck, Acting Secretary

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

NOTARY PUBLIC, State of Kansas
LORRIE MELCHIOR
My Appt. Exp. 8/07/2022

Notifying the Public of Rights Under Title VI

Prairie Band Potawatomi Nation General Public Transportation

Prairie Band Potawatomi Nation General Public Transportation operates its programs 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 discriminated against by any unlawful practice under Title VI may file a complaint with Prairie Band Potawatomi Nation Human Resource Department. For more information on the PBPN General Public Transportation civil rights program, and the procedures to file a complaint, contact 785-966-3060 or toll-free 1-866-694-3937; email; HR@pbpnation.org or visit our Human Resource office at 16281 Q Road, Mayetta, KS 66509.

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, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590

This notice is posted at the Prairie Band Potawatomi Nation General Public Transportation office at 15185 K Road, Mayetta, Kansas 66509. It is posted on the agency website at http://www.pbpnindiantribe.com

Nothing in this policy shall be interpreted to be a waiver of sovereign immunity of the Prairie Band Potawatomi Nation.

Prairie Band Potawatomi Title VI Policies on Complaints

Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the services of Prairie Band Potawatomi Nation General Public Transportation.

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 ground 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.*

The *Prairie Band Potawatomi Nation General Public Transportation* 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 Prairie Band Potawatomi Nation General Public Transportation's federally funded program 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 Prairie Band Potawatomi Nation General Public Transportation may file a written complaint with the PBPN Human Resource *'s* Title VI Manager. *A complaint form* is available in hard copy at the offices of PBPN Human Resource Department. Upon request, the Prairie Band Potawatomi Nation Human Resource office will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

Complaints should be mailed to or submitted by hand to:

Prairie Band Human Resource Department
16281 Q Road
Mayetta, Kansas 66509
ATTN: Director of Human Resources

2. Referral to Review Officer

Upon receipt of the complaint, the PBPN Human Resource Department 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 Director of Human Resources shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the PBPN General Public Transportation's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the, Director of Human Resources for concurrence. If the Director of Human Resources concurs, he or she shall issue the PBPN General Public Transportation'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, the PBPN Director of Human Resources 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 Director of Human Resources's response, he or she may request reconsideration by submitting the request, in writing, to the Director of Human Resources within 10 calendar days after receipt of the Director of Human Resources response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Director of Human Resources. The Director of Human Resources 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 *agency Director of Human Resources* 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 Director of Human Resources's response by submitting a written appeal to Kansas Department of Transportation no later than 10 calendar days after receipt of the Director of Human Resources 's written decision rejecting reconsideration. The Director of Human Resources *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 PBPN Director of Human Resources 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
3rd Floor West
Topeka, KS 66603

PBPN General Public Transportation Title VI / ADA Complementary Paratransit Complaint Form

The purpose of this form is to assist you in filing a complaint with the PBPN Human Resources Director. You are not required to use this form; a letter containing the same information will be sufficient.

For questions about PBPN General Public Transportation Americans with Disabilities Act (ADA) complaint procedures or complaint form contact PBPN Human Resource Director, ADA Compliance Officer, 785/966/3060 or HR@pbpnation.org.

Section I:				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	

Section II:		
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

Section III:

I believe the discrimination I experienced was based on (check all that apply):

[ ] Race [ ] Color [ ] National Origin [ ] Age

[ ] Disability [ ] Other (specify) _____

Date of Alleged Discrimination (Month, Day, Year): _____

Time of Day: _____

Location: _____

(Continued on next page)

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 witnesses. If more space is needed, please attach additional pages.

Witness(es): ☐ YES ☐ NO

List Witness(es): *(Attach a separate sheet, if necessary)*
(1) Name:
Phone Number: ( )
(2) Name:
Phone Number: ( )
(3) Name:
Phone Number: ( )
(4) Name:
Phone Number: ( )

(Continued on next page)

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

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 Agency _____ [ ] State Court _____ [ ] Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
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:

Director of Human Resources
16281 Q Road
Mayetta, Kansas 66509

INTERNAL USE ONLY

To be completed by Title VI Compliance Officer

Accepted for formal Investigation _____/_____/_____

Referred to another department on _____/_____/_____

Rejected _____/_____/_____

Reason for Rejection:

_____

_____

_____

PBPN Human Resources Director, Title VI Compliance Officer

_____

Date

Prairie Band Potawatomi Nation Transit Public Participation Plan Outline

1. Brief description of provider's activities and services

Prairie Band Potawatomi General Public Transportation has been providing transportation to Jackson County, Prairie Band Reservation, and Shawnee County for medical, Nutritional, employment, and personal rides.

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

Prairie Band Potawatomi General Public Transportation would notify the public for any fare changes, changes to service hours, and service area changes.

3. Brief description of the proactive public participation strategies would be used.

All public notifications would be planned as follows:

- Public hearings/meetings/workshops to be held at convenient times and accessible locations.
- Advertising would be utilized including website, and Holton Recorder.
- A database of contacts to include: interested members of the public, tribal council, KDOT Public transit staff
- Direct mailings to the passenger list.

4. Brief description of outreach methods to engage minority and Limited English Proficiency (LEP) individuals.

Prairie Band Potawatomi General Public Transportation would use surveys, advertising or public notice for activities and allow for public comment.

5. Brief description of the desired outcomes of the agency's participations efforts.

    - The agency desires to have actively engaged riders and members of the general public in the decision making process.
    - The agency strives to have given adequate public notice of public participation activities and allowed proper time for public review and comment.
    - The agency desires to provide timely information about transportation issues and processes to transit riders, and members of the general public.
    - The agency will provide responses to all public input as appropriate.
    - 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 satisfactions surveys to our past and present ridership, and act upon the concerns shown in the survey responses.

Limited English Proficiency Plan

Using the above 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
As we do now, 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, Braille Services, sign language interpreters as well as contacting Language departments at the University of Kansas to assist with any language barriers we would encounter.

Training Staff
The dispatcher will communicate with the interpreter to schedule the rides. The drivers will communicate as best as possible with the riders during the route.

Providing Notice
The LEP Plan will be posted on the agencies website, www.pbpindiantribe.com. LEP plan will be provided to any person or agency requesting a copy. The person of contact in regards to the LEP plan is Director of Human Resources and can be reached via phone at (785)966-3060.

Monitoring and Updating the LEP Plan
Prairie Band Potawatomi General Public Transportation will update the plan according to the Title VI update schedule, which is every three years. The plan will also be updated any time changes in the demographics of the agencies service area are deemed significant in regards to LEP persons.

Language Assistance Plan
Limited English Proficiency Plan (LEP) Preview

The purpose of developing an LEP, as a recipient of federal funds, is to identify the extent of LEP individuals and identify ways that 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 the Prairie Band General Public Transportation.** Using the 2010 census data, we find that 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. Currently, we do not service any individuals that need assistance with communication to schedule rides.
2) **Identify the frequency in which LEP individuals come in contact with the service.** Although there are no language group that currently qualify as a LEP group.

3) **Identify the importance of the service to the LEP community.** We provide transportation for Medical, nutritional, and personal reasons to the general public in Jackson County, Prairie Band Potawatomi Reservation, and Shawnee County area. If the need would arise, we would have to look into interpreters to communicate with individuals that need to schedule rides.
4) **Identify the resources available and the respective cost of these resources.** Currently, the interpreters are family members of the individuals who speak English less than very well, so there is no cost associated with the service.

Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Population within service area	87%	14%	10%	1.6%	9.5%	2%
Tribal Council	0%	0%	0%	0%	100%	0%
Agency Staff	10%	0%	0%	0%	90%	0%

QUE PUEDO HACER ACERCA DE LA DISCRIMINACION?
Una persona puede presentar su querella con el Kansas Department of Transportation. Toda querella sera presentada a1 funcionario de la EEO, quien la evaluarii y la referira a1 programa adequado.

QUIEN PUEDE PRESENTAR UNA QUERELLA?
Cualquiera persona quikn crea que o ella ha estado sometido a discrirninaci6n a base de raza, color, edad, origen nacional, sexo, incapacidad, veterano o vivan en barrios de pobres

CUANDO DEB0 DE PRESENTAR UNA QUERELLA?
Debe de presentar su querella dentro de 180 dias despuks de la fecha de la alegada accicin discriminatoria.

LCOMO PRESENTAR UNA QUERELLA?
Pongase en contact con la Office of Civil Rights Compliance, por escrito o por telefono para solicitar ayuda en como presentar su querella.

Kansas Department of Transportation
Office of Civil Rights Compliance

700 SW Harrison, 3rd Floor West
Topeka, Kansas 66603-3754

Telefono: 785-296-7940
Fax: 785-296-0723

KDOT.CivilRights@ks.gov
Or visit us on the web at:
www.ksdot.org.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Communications/Public Affairs Division Eisenhower Building, 700 SW Harrison, 2nd Floor West, Topeka, KS, 66603-3754,

785-296-3585 (Voice)
/Hearing Impaired - 711.

AD ASTRA PER ASPERA

Kansas
Department of Transportation

OPORTUNIDAD IGUAL E INFORMACION DE DERECHOS CIVILES (INCLUSO TITULO VI)

Kansas Department of Transportation Office of Civil Rights Compliance
Enero de 2020

KANSAS DEPARTMENT OF TRANSPORTATION DERECHOS CIVILES Y PROCESO DE QUERELLAS

LA GARANTIA:
The Kansas Department of Transportation, como un destinatario de fondos Federales para programas, ha otogado la garantia que dentro de funcionamientos diarios el KDOT no diferenciara contra cualquiera persona a base de raza, color, origen nacional, sexo, edad, incapacidad, veteran, o vivan en barrios de pobres.

LAS LEYES:
El Titulo VI de los Derechos Civiles de 1964 enmiendado y 49 CFR Parte 21 prohibe discriminacion a base de raza, color, sexo y origen nacional en todos los programas de ayuda federal.
Se prohibe discriminacion del sexo tambien bajo la Seccion 162 (a) del Acto de Ayuda Federal de 1973.
Seccion 504 del Acto de Rehabilitacion de 1973, y el Acto de Americanos con Incapacidades de 1990 (vea CFR 27) prohibe discriminacion a base de incapacidad; y el Acto de Discriminacion por Edad de 1975 (42 USC 6101) prohibe discriminacion a base de edad. discrimination based on age.

La filosofia basica de la le yes que personas afectadas por programas de transportacion deben recibir los servicios, beneficios, y oportunidades a que tengan derecho sin diferencias a causa de raza, color, origen nacional, edad, sexo, incapacidad, veteran, o vivan en barrios de pobres.

¿QUE ES LA DISCRIMINACION?
Es un acto intencional o involuntario que sujeta a una persona o a un grupo a trado desigual bajo un programa de transportacion. Toda persona, sin importancia, a su raza, sexo, color, origen nacional, veteran, o edad, se debe tartar justamente e igualmente en totalidad en todos los asuntos relacionados con la transportacion.

EJEMPLOS DE ACTOS DISCRIMINATORIOS PROHIBIDOS:

1. Reuniones publicas que se tienen a duroalcance o en sitios inaccesibles o en horas cuando las personas mas afectadas trabajan.

2. Cambios de zonas que rebajan la calidad de la vida en un barrio.

3. Pagos desiguales ofrecidos o pagados por propiedades similares.

4. Ayuda desigual de reubicacion o pagos de vivienda.

5. Nueva vivienda que no es igual a la remplazada.

6. El no hacer el esfuerzo de localizer minoria o mujures contratistas, consultants o investigadores para projectos de transportacion.

7. El no notificar a minoria y mujeres contratistas acerca de projectos de transportacion que estan por licitacion.

8. Un barrio pierde acceso a tiendas, servicios, oficinas medicas, iglesias, recreacion o transportacion debido a la construccion de carreteras.

9. El valor de la propiedad disminuye o aumenta en manera desigual debido a construccion de carreteras.

10. Caminos en barrios minoritarios que no estan tan satisfactorios como esos en barrios que no son minoritarios.

11. El impacto ambiental es mas severo en una minoria o en un barrio de ingresos bajos, en comparacion con una area de valoracion mas alta.

WHAT CAN I DO ABOUT DISCRIMINATION?
A person may file a complaint with the Kansas Department of Transportation. All complaints will be referred to the Civil Rights Officer, who will evaluate and refer the complaint to the appropriate program area.

WHO MAY FILE A COMPLAINT?
Any person who feels he or she has been subject to discrimination because of race, color, age, national origin, sex, disability, veteran or low income status.

WHEN SHOULD I FILE A COMPLAINT?
You should file a complaint within 180 days following the discriminatory action.

HOW TO FILE A COMPLAINT?
Contact the Office of Civil Rights Compliance in writing or by phone to request assistance in filing your complaint.

Kansas Department of Transportation
Office of Civil Rights Compliance

700 SW Harrison, 3rd Floor West
Topeka, Kansas 66603-3754

Phone: 785-296-7940
Fax: 785-296-0723

KDOT.CivilRights@ks.gov
Or visit us on the web at:
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785-296-3585 (Voice)
/Hearing Impaired - 711.

AD ASTRA PER ASPERA

Kansas
Department of Transportation

EQUAL OPPORTUNITY AND CIVIL RIGHTS INFORMATION (INCLUDING TITLE VI)

Kansas Department of Transportation Office of Civil Rights Compliance
January 2020

EXTERNAL CIVIL RIGHTS COMPLAINT PROCESS

THE ASSURANCE:
The Kansas Department of Transportation, as a recipient of federal funds for programs, has given the assurance that within daily operations, KDOT will not discriminate against any person on the basis of race, color, national origin, sex, age, disability, veteran or low income status.

THE LAWS:
Title VI of the Civil Rights Act of 1964 as amended and 49 CFR Part 21 prohibit discrimination based on race, color and national origin in all federal-aid programs.

Sex discrimination is also prohibited by Section 162 (a) of the Federal-Aid Highway Act of 1973. Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (see 49 CFR 27) prohibit discrimination based on disability and The Age Discrimination Act of 1975 (42 USC 6101) prohibits discrimination based on age.

The basic philosophy of the laws is that people affected by transportation programs should receive the services, benefits and opportunities to which they are entitled with no differences because of race, color, national origin,age, sex, disability, veteran or low income status.

WHAT IS DISCRIMINATION?

An intentional or unintentional act which subjects a person or a group to unequal treatment under a transportation program. Everyone, no matter what their race, sex, color or national origin, age, disability, veteran or low income status should be treated fairly and equally in all matters relating to transportation.

EXAMPLES OF PROHIBITED DISCRIMINATORY ACTS:

1. Public meetings that are held at hard-to-reach or inaccessible sites or at times when most affected people are working.

2. Zoning changes that would lower the quality of life in a neighborhood.

3. Unequal payments offered or paid for similar properties.

4. Unequal relocation assistance or housing payments.

5.New housing that is not equal to the property replaced.

6. No effort made to locate minority or women contractors, consultants or researchers for transportation projects.

7. Minority and women contractors not notified about highway projects to be let for bid.

8. A neighborhood loses access to stores, services, medical offices, churches, recreation or transportation due to highway construction.

9. Property value decreases or increases in unequal ways due to highway construction.

10. Minority neighborhood roads that are not as well-maintained as those in non-minority areas.

11. Environmental impact is more severe on a minority or low income neighborhood as compared to a higher valuation area.