

GRAND VALLEY TRANSIT'S ADA AND TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS

Public Notice of Rights

The following statement shall be printed on Grand Valley Transit's system maps and on Grand Valley Transit's website (www.gvt.mesacounty.us). (Documents will be translated into languages other than English, upon request.) (Los documentos serán traducidos a idiomas con excepción de inglés, a petición.)

Statement of Rights: In accordance with the provisions of the Americans with Disabilities Act (ADA) and the Civil Rights Act of 1964, Grand Valley Transit (GVT) does not discriminate on the basis of disability, race, color, gender, age, or national origin. For more information about these statutes, or to file a complaint, contact GVT. Information in non-English alternative formats may be obtained through GVT. Individuals will be permitted to use service animals, as defined within ADA guidelines as necessary.

What is ADA?

Grand Valley Transit (GVT) complies with Title I and Title II of the Americans with Disabilities Act (ADA) of 1990 which states that no entity will discriminate against an individual with a disability in connection with the provision of transportation service. Grand Valley Transit herein establishes its Policy to comply with the requirements of the ADA and its implementing regulations at 49 CFR Parts 27, 37 and 38.

ADA and Title VI Information, Limited English Proficient (LEP) information and Complaint Process (for printed materials, website, and other mediums upon request)

GVT grants all persons equal access to all its transportation services. It is further the intent of GVT that all persons are aware of their rights to such access. This is designed to serve as an educational tool for persons so that they may understand one of the civil rights laws that protect their benefit of GVT's programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States shall on the grounds of race, color, gender, age, 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."

What is LEP?

As part of Title VI requirements, Grand Valley Transit has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Grand Valley Transit services as required

by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000). A Limited English

Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. GVT's Complaint and Investigation Procedures

These procedures cover all complaints filed under the Americans with Disabilities Act of 1990 and the Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, for alleged discrimination in any program or activity administered by GVT.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and GVT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under ADA, Title VI, and related statutes may file a complaint.

The following measures will be taken to resolve ADA and Title VI complaints:

- 1) A formal complaint must be filed within 180 calendar days of the alleged occurrence. Complaints shall be accepted in any means of communication, including written, electronic, in-person, and telephonic. All complaints received will be documented by GVT in its internal records and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

Grand Valley Transit strongly encourages the use of the attached Grand Valley Transit's Discrimination Complaint Form when filing official complaints.

The preferred method is to file your complaint in writing using Grand Valley Transit's Discrimination Complaint Form and sending it to:

Grand Valley Transit
Attn: ADA and Title VI Coordinator
525 S. 6th Street
Dept. 5093, PO Box 20,000
Grand Junction, CO 81502-5001

2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to Grand Valley Transit's ADA and Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and Grand Valley Transit's ADA and Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.

3) When a complaint is received, the ADA and Title VI Coordinator will communicate acknowledgment to the Complainant, within ten (10) calendar days.

4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5) Within 15 calendar days from receipt of a complete complaint, Grand Valley Transit will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) calendar days of this decision, the Regional Transportation Planning Director or his/her authorized designee will notify the Complainant and Respondent informing them of the disposition. The RTPO will document its response to the complainant in its internal records.

a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

b. If the complaint is to be investigated, the notification shall state the grounds of Grand Valley Transit's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

6) When Grand Valley Transit does not have sufficient jurisdiction, the Regional Transportation Planning Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.

7) If the complaint has investigative merit, the Regional Transportation Planning Director or his/her authorized designee will instruct the ADA and Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Transportation Director within 60 calendar days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the ADA and Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.

8) The Regional Transportation Planning Director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 calendar days from receipt of the complaint.

9) If the Complainant is dissatisfied with Grand Valley Transit's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration, Region 8
Attn: Civil Rights Officer
1961 Stout Street, Suite 13-301
Denver, CO 80294
303-362-2393
Fax 303-292-5904

FTA Complaint procedures can also be found on the FTA web site at: www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1B, Chapter IX and Circular 4710.1, Chapter 12.