



Title VI Policy and Program#

Starkey, Inc. assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.



Adopted by Colin McKenney, CEO
on 9/10/13

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Who is Starkey, Inc. ?

Starkey, Inc., founded in 1930, is the oldest community-based nonprofit organization in Sedgwick County, Kansas, serving individuals with intellectual disabilities. It currently serves 472 individuals through a variety of employment, life enrichment, residential and other programs, including transportation services.

Starkey is a 501(c)(3) organization. It receives the majority of its funding from the Home and Community-Based Services (HCBS), or Medicaid, waiver through the federal government and the State of Kansas match. In addition, Starkey receives some funding through Sedgwick County and engages in fundraising activities year-round to provide program supplies and enhancements.

Starkey, Inc. is governed by a 15-member volunteer board of directors, which includes community leaders, parents and family members of the individuals who are served by Starkey. The board also includes a position appointed through a partnership with Sedgwick County.

Starkey employs 350 people and provides a host of other support services in addition to its main programs – health monitoring, case management, employment coaching – that enhance the lives of people with disabilities in this community.

Title VI Policy Statement

Starkey, Inc. assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Starkey further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities consistent with this federal legislation.

Authority

The federal statutory authority for requiring non-discrimination has its basis in Title VI of the Civil Rights Act of 1964, Executive Order 12898, and Executive Order 13166.

Title VI of the 1964 Civil Rights Act provides 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 otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “program or activity” to include all programs or activities of Federal Aid

Recipients, sub-recipients, and consultants/contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," was signed by the President on February 11, 1994. The Order requires all federal agencies to make environmental justice (EJ) part of their missions by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of our programs, policies, and activities on minority populations and/or low-income populations (collectively referred to as EJ populations). In turn, the U.S. Department of Transportation (DOT), primarily through the FTA, requires all agencies receiving FTA funds to incorporate environmental justice into the overall agency programs and activities. The FTA's "Environmental Justice Policy Guidance for FTA Recipients" provides recipients of FTA financial assistance with guidance in order to incorporate environmental justice principles into plans, projects, and activities that receive FTA funding. The guiding EJ principles followed by Starkey are based on those defined by FTA and DOT, and are as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects of our programs, policies, and activities, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the unwarranted denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

The core tenet of environmental justice – that development benefitting a community as a whole not be unjustly purchased through the disproportionate allocation of its adverse environmental and health burdens on a community's minorities – is a direct extension of the fundamental non-discrimination principle required by Title VI.

On August 11, 2000, the President signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to federally conducted and federally assisted programs. It is expected that agency and program plans, as stipulated by the Executive Order, will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The U.S. Department of Justice's Policy Guidance Document, "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" (LEP Guidance) sets the compliance standards that recipients of Federal financial assistance must

follow to ensure that their programs and activities normally provided in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI's prohibition against national origin discrimination.

Starkey, Inc. Title VI Program

Starkey's Title VI program includes both administrative/oversight activities and activities associated with carrying out Starkey's mission.

Title VI Program Responsibilities

The Director of Human Resources is responsible for implementation of the agency's Title VI program and will be referred to throughout this document as the Title VI Coordinator. The Title VI Coordinator, under supervision of the CEO, is responsible for initiating, coordinating, and monitoring the overall administration of the Title VI program. The Title VI Coordinator will work with staff to ensure all are aware of the Title VI requirements and that the requirements are incorporated into the planning efforts.

Administrative/Oversight Activities

Title VI Notification

In compliance with 49 CFR Section 21.9(d), Starkey will provide information to the public regarding Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Starkey fulfills this compliance through the following actions:

- Posted on Starkey website (www.starkey.org)
- Posted in main lobby
- Posted in route buses

Addressing and Resolving Complaints

Starkey provides a means for any person who believes that he or she, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination by Starkey in relation to any program or activity administered by Starkey by way of a Title VI Discrimination Complaint Procedure and Form. This complaint procedure applies to matters related to Title VI, EJ, or LEP. 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. These procedures do not extend the time for seeking such a remedy, nor are they a necessary step to seek a remedy otherwise. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every

effort will be made to obtain early resolution of complaints. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be used for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a timely resolution to the complaint. Initial interviews with the complainant and the respondent, if applicable, will request information regarding specifically requested relief and settlement opportunities. A copy of the complaint form and procedures is provided as Appendix B.

The complaint form and procedures are posted on the Starkey website and in Starkey's main lobby located at 4500 W. Maple.

Title VI Investigations, Complaints, or Lawsuits

Starkey maintains a list of complaints filed alleging discrimination on the basis of race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken in response to the investigation, lawsuit or complaint. The Title VI Coordinator maintains these files.

To date, no Title VI investigations, complaints, or lawsuits have been filed against Starkey.

Providing Meaningful Access to LEP Persons

Starkey promotes a positive and cooperative understanding of the importance of language access to federally conducted and federally assisted programs. While most individuals in the United States read, write, speak and understand English, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English are considered by federal law to be limited English proficient, or "LEP." This language barrier may prevent individuals from accessing services and benefits, and they may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. Federal law requires that people who are LEP have meaningful access to federally conducted and federally funded programs and activities. Moreover, federal agencies are required to ensure that recipients of federal financial assistance, like Starkey, provide meaningful access to their LEP constituencies. Starkey's current Limited English Proficiency (LEP) Plan is below.

Limited English Proficiency Plan (LEP)

Limited English Four-Factor Analysis

The USDOT recommends four factors that should be analyzed to determine the level and extent of language assistance required to sufficiently ensure meaningful access to programs, activities and services within Starkey's operations. These factors include:

- the number and proportion of LEP persons served;
- the frequency of contact with LEP persons;
- the importance of programs and services to LEP persons; and
- the resources available and overall costs of providing language services.

After conducting the four-factor analysis, Starkey is in a better position to implement a cost effective mix of proactive language assistance measures, target resources appropriately, and to respond to request for LEP assistance.

The four factors were analyzed for the Starkey region and used to help identify what specific steps Starkey can take to ensure meaningful access to its programs.

1. The number or proportion of LEP persons served or encountered

The U.S. Census data was analyzed to determine the number of LEP persons that live in the region. (Starkey’s and WAMPO’s service area are similar; therefore, Starkey utilized WAMPO’s analysis.) Data on the language spoken at home by ability to speak English was reviewed for the entire region to determine the proportion of the population that is considered Limited English Proficiency (LEP). Limited English Proficiency (LEP) was identified as the following Census categories: Speak English “not well” and “not at all”. This information helps determine how likely a person with limited capabilities to speak or read English would be encountered in Starkey’s metropolitan transportation planning process. The percentage of this population that has a limited ability to speak and understand English is slightly less than 3% (2.81%).

WAMPO/Starkey’s Region

Total Population 18 Years and Older	336,030	100%
Total Limited English Proficiency (LEP)*	9459	2.81%

*Limited English Proficiency (LEP) is identified as census categories: Speak English “not well” and “not at all”.

Less than 10% of the population that is 18 years or older speak a language other than English. The top two language groups are Spanish and Asian / Pacific Island Languages (primarily Chinese and Vietnamese). The chart below represents what languages are represented in the Limited English Proficiency (LEP) profile.

Table 1: Limited English Proficiency (LEP) Profile

Source: U.S. Census 2000, Summary File 3, P19 – Age by Language Spoken at Home by Ability to Speak English

	English	Spanish	Indo-European	Asian & Pacific	Other	Total
18-64	250,919	18,052	4,264	8,178	449	281,862
# of LEP*	0	5,946	310	2,318	167	8,741
% of LEP by language spoken	0%	33%	7%	28%	37%	
% of LEP by total population	0%	1.77%	0.09%	0.69%	0.05%	2.60%
65 and older	50,716	1,039	804	481	113	53,153
# of LEP*	0	263	115	308	32	718
% of LEP	0%	25%	14%	64%	28%	
% of LEP by total population	0%	0.08%	0.03%	0.09%	0.01%	0.21%
TOTAL	301635	19091	5068	8659	562	335,015
# of LEP*	0	6209	425	2626	199	9,459
% of LEP by language spoken	0%	33%	8%	30%	35%	
% of LEP by total population	0%	1.85%	0.13%	0.78%	0.06%	2.81%

*Limited English Proficiency (LEP) is identified as census categories: Speak English “not well” and “not at all”.

2. The frequency with which LEP individuals come in contact with the program.

Based on Starkey’s experience, the proportion of people with limited ability to speak English in WAMPO/Starkey’s region is relatively low and represents only 2.81% of the region’s population (see Table 1). It is no surprise that contact with LEP individuals utilizing Starkey’s services has been infrequent and generally not predictable.

Both Starkey’s public participation process and the Title VI and Environmental Justice (EJ) Policy include a provision that Starkey will provide translated documents upon request. Starkey has not received any requests for translated documents.

3. Nature and importance of the program, activity, or service provided by the program.

Starkey’s transportation program is the means by which individuals in the Sedgwick County area can live and work independently. Each day, individuals rely on a Starkey vehicle to get to and from a job in the community, often gained after months of interviews and extensive employment coaching. Community employment is hard to achieve, and even harder to maintain. The ability to find reliable, safe, accessible transportation is key to proving oneself a reliable employee – and the correlating ability to earn a steady wage that comes with it.

Transportation is also integral to living as independently as possible in one's own home. Individuals who live on their own need access to grocery stores, pharmacies, banks, retail centers and physicians. The regular access provided by Starkey's transportation program allows them to schedule and determine their daily and weekly schedules, instead of relying on support staff or family members to provide such services.

The transport provided by Starkey is also safe; vehicles are accessible, with proper restraints and trained drivers. Individuals with physical disabilities can be assured that the quality of transport provided by Starkey will meet their unique support needs and get them safely back and forth between destinations.

4. Resources available to Starkey and overall cost.

As needs arise, Starkey will evaluate available resources for providing assistance to those in need of communication support. Additionally, WAMPO provides written translation services to Starkey. These services are provided at no charge to Starkey.

Safe Harbor Stipulation

Federal law provides a "safe harbor" stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A "safe harbor" means that as long as Starkey has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four factor analysis.

Evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less of eligible persons served or likely to be affected. Translation can also be provided orally.

The "safe harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

LEP Implementation Plan

The overall percentage of limited English persons in the Starkey region is less than the threshold identified in the Safe Harbor Stipulation. This small percentage in combination with low levels of Starkey's interaction with residents that have a limited ability to speak or

read English does not warrant the costs required to translate Starkey's core documents. Starkey does, however, consider it important to engage the diverse population within the region. Therefore, Starkey has identified some implementation strategies for tracking and providing limited language assistance services to the LEP population in the region. These strategies include identifying LEP individuals, providing language assistance upon request and providing notice of language services to LEP individuals. The specific strategies are elaborated below.

Language Assistance

Language assistance will be provided for LEP individuals through the translation of some key materials, as well as through oral interpretation when necessary and possible.

Starkey is a sub-recipient of WAMPO, and thus has access to some translation services that WAMPO provides:

Translation of Written Materials

Starkey will work with the WAMPO to translate the following documents into Spanish:

- Title VI Complaint Procedures and Form
- Notice to the Public

In the event that Starkey receives a request for translated materials, Starkey will coordinate with WAMPO to provide that translation

Oral Language Services

Starkey will provide a limited amount of oral interpretation services for Spanish speaking LEP individuals when possible.

Providing Notice of Available Language Service to LEP Persons

Starkey will implement the following strategies to notify the public of Language Services:

- Post the Spanish translated Title VI Complaint Procedures and Form on the Starkey website and in the main lobby.
- Post the Notice to the Public to the Starkey website.

Starkey Staff Training

Current staff members and incoming staff members will be briefed on the Starkey LEP plan and how to assist LEP persons; specifically how to use the language identification cards and how to access the services that are provided by Starkey.

Monitoring and Updating the LEP Plan

The LEP Plan will be reviewed and updated on an annual schedule.

Each update should consider the following components:

- What is the current LEP population in the Starkey area
- How many LEP persons were encountered and were their needs met?
- Were any complaints received?
- Has Starkey's available resources (such as technology, staff, and financial situation) changed?
- Have new federal or state regulations concerning LEP plans been approved that necessitate changes to the current LEP plan?

Complaint Process

To file a complaint regarding LEP activities, please fill out the Title VI complaint form available at www.starkey.org. Should an LEP complaint be filed, the Title VI review process will be followed.

Hard copies are available upon request.

Promoting Inclusive Public Participation

Starkey is committed to receiving ongoing input from its stakeholders. An advisory council of individuals served at Starkey meets quarterly to discuss programs, services and upcoming events, and to provide feedback and future direction. In addition, an accessibility committee meets biannually and includes persons served and community members in addition to staff. The Starkey, Inc. and Starkey Foundation boards of directors invite at least one person served to attend each time they meet, and ask for their input about services. Annual satisfaction surveys of persons served, parents, guardians and employees provide invaluable input into strategic initiatives and service planning. Case managers also have an opportunity to speak with persons served and family members on a regular basis and during the formal annual support planning process.

As for community stakeholders, Starkey has a branding plan that consists of internal publications, media relations, paid promotions and person-to-person marketing efforts. Internal publications include a weekly employee newsletter and biweekly newsletter for parents, guardians, family members and other interested parties. Media relations consists of monthly efforts to promote Starkey events and feature stories through local print, television and radio outlets. In addition, Starkey maintains an active social media presence through its pages on Facebook, Twitter and Pinterest. Its web site includes current news, an

events calendar and program information, as well as board lists and board minutes. Through paid promotions, Starkey purchases advertising and runs professionally produced commercials that speak to its employment programs and community presence. Lastly, person-to-person marketing efforts take many forms: speaking engagements at local civic groups and universities; memberships in local professional organizations; booths at employment fairs and Chamber mixers; and volunteerism at community initiatives that raises the visibility of Starkey in Sedgwick County.

Starkey, Inc.
Title VI Compliance
Appendix A

STARKEY, INC. Statement of Nondiscrimination

Starkey, Inc. hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, Executive Order 13166 on Limited English Proficiency, and related statutes and regulations on all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Starkey receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Starkey. Any such complaint must be in writing and filed with Starkey's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our web site at www.starkey.org or call (316)-942-4221.

STARKEY, INC.

CON ACUERDO AL TITULO VI

APENDICE A

STARKEY, INC. DECLARACIÓN DE NO DISCRIMINACIÓN

STARKEY, INC. por la presente da aviso al público que es la política de la agencia asegurar el cumplimiento en pleno con el Título VI del Acto de Derechos Civiles de 1964, el Acto de Restauración de Derechos Civiles de 1987, Orden Ejecutivo 12898 de Justicia Ambiental, Orden Ejecutivo 13166 de Conocimiento Limitado de Inglés, y estatutos y reglas relacionados con todas las programas y actividades. Título VI requiere que ninguna persona en los Estados Unidos de América, de acuerdo a raza, color de piel, o origen nacional, sea excluida de participar, denegada de los beneficios, o de lo contrario sometido a discriminación en cualquier programa o actividad en el cual STARKEY recibe ayuda financiera federal. Cualquier persona que cree que haya sido perjudicada por una práctica discriminatoria ilegal, por Título VI tiene el derecho de presentar una queja formal ante STARKEY. Cualquier queja debe ser escrita y presentada al Coordinador STARKEY de Titulo VI en 180 días a partir de la fecha en que ocurrió la presunta discriminación. Para más información, o para obtener la Solicitud de Queja de Discriminación de Titulo VI, por favor visite nuestro sitio web en www.starkey.org o llame a (316) 942-4221.

Starkey, Inc.
Title VI Compliance
Appendix B

Starkey, Inc.
Title VI Discrimination Complaint Procedures

This complaint procedure and form is for any person who believes that he or she, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination by Starkey, Inc. pursuant to discrimination laws, rules and regulations, including, but not limited to, Title VI of the Civil Rights Act of 1964, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," or Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." This complaint procedure applies to matters related to Title VI, EJ, or LEP.

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. These procedures do not extend the time for seeking such a remedy, nor are they a necessary step to seek a remedy otherwise. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be used for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a timely resolution to the complaint.

Submission of Complaint

Any individual or group may file a written complaint with Starkey's Title VI Coordinator. The mailing address and contact information are below:

Starkey, Inc.
Title VI Coordinator
4500 W. Maple
Wichita, Kansas 67209
(316) 942-4221 (phone)
(316) 512-4170 (fax)

The complaint must be filed within one hundred eighty (180) calendar days after the date the alleged discrimination occurred. A complaint form may be downloaded at www.starkey.org or is available in hard copy from the Title VI Coordinator. Upon request, assistance will be provided to any person(s) unable to read or write English or who requires a form in an alternative format due to a disability.

The complaint form must be as complete as possible and must meet the following requirements:

- a. Complaint shall be in writing and signed by the complainant(s).
- b. Include the date of the alleged act of discrimination.
- c. Present a detailed description of the issues.
- d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established.
- e. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and returned for processing. Complainants have the right to complain directly to the appropriate federal agency as well. Complainants have 180 days to file a complaint with the appropriate federal agency.

Receipt of Complaint

Within fifteen (15) days after receiving a complaint, the Title VI Coordinator will a) forward a copy of the complaint to appropriate pass through entity (WAMPO, Wichita Transit or the Kansas Department of Transportation) and the appropriate, designated federal agency related to the complaint, if required and b) send a written acknowledgement to the complainant advising that the complaint will be investigated. In order to be accepted, a complaint must involve a covered basis such as race, color, or national origin and the allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or consultant/contractor.

A complaint may be rejected for the following reasons:

- a. The complainant requests the withdrawal of the complaint.
- b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- c. The complainant cannot be located after reasonable attempts.

Once the complaint is accepted, the Title VI Coordinator will log it in a database identifying the following: complainant's name, basis, alleged harm, race, color, and national origin of the complainant.

Referral to Review Officer

The Title VI Coordinator will complete the review within 45 days after the organization has received the complaint and will make a recommendation about the merits of the complaint and, if necessary, what steps will be taken to address the complaint.

Complaint Decision

The Title VI Coordinator will forward the recommendation to the CEO for review and concurrence. If the CEO concurs he/she will issue the organization's response to the complainant(s) and any respondent(s), if applicable.

Requests for Reconsideration

If the complainant disagrees with the response, he or she may request reconsideration by submitting a request within fifteen (15) days after receipt of the response. Any affected party may submit information and/or documentation in writing to the Title VI Coordinator in support of their request for reconsideration of the recommendation.

Upon review of the additional information and documentation, the Title VI Coordinator and the CEO will have ten (10) days to either reaffirm or reverse the original recommendation and provide written notice to the complainant and respondent. If neither party requests reconsideration, the recommendation becomes final.

Settlement

If the final recommendation or reconsideration supports the allegation(s), the Title VI Coordinator will attempt to negotiate an amicable settlement of the issues in dispute. Formal, written settlement agreements will require the review of the organization's counsel prior to execution and will require the signatures of the parties, the Title VI Coordinator, and the CEO.

Submission of Complaint to (appropriate pass through organization – WAMPO & Wichita Transit), the State of Kansas Department of Transportation or the Federal Transit Administration

The complainant may also submit a written complaint to the state or appropriate federal agency in accordance with the requirements of the state or federal agency.

NOTE: Complaints must be filed with federal agencies no later than 180 days after the alleged discrimination occurred. Prompt action is necessary to ensure review by state or federal agencies, irrespective of Starkey's response.

Wichita Area Metropolitan Planning Organization
455 N. Main Street, 10 Floor
Wichita, KS 67202

Wichita Transit Information
777 E. Waterman
Wichita, KS 67202

KDOT Office of Civil Rights
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., S.E.
Washington, DC 20590

Federal Highway Administration
Office of Civil Rights
1200 New Jersey Ave., S.E.
8th Floor E81-314
Washington, DC 20590

Confidentiality

To the extent feasible and as allowed by law, confidentiality shall be maintained during the formal and informal investigation process.

Investigation records

Records will be maintained in accordance to applicable Federal guidelines, or in their absence, applicable state guidelines.

Starkey, Inc.

Title VI Discrimination Complaint Form

This form may be used to file a complaint with Starkey, Inc. pursuant to discrimination laws, rules and regulations, including, but not limited to, Title VI of the Civil Rights Act of 1964, Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," or Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency.

If you need assistance completing this form or need it to be provided in an alternate language or alternate format due to a disability, please contact us by phone at (316) 942-4221 or by fax (316) 512-4170 and ask for the Title VI Coordinator.

Complaints of discrimination must be filed within 180 days of the alleged discrimination.

This form **MUST** be completed by the complainant or the complainant's designated representative. Feel free to add additional pages if necessary.

Complainant's Personal Information:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____

Name of person completing this form, if different from above:

Your relationship to the complainant identified above:

Alleged Discrimination – Details of Complaint:

I. Identify the department or program that discriminated:

Department name: _____
Name of any individual, if known: _____
City: _____ State: _____ Zip: _____
Phone Number: _____
Email: _____
Date(s) of alleged act: _____
Date alleged discrimination began: _____
Last or most recent date of alleged discrimination: _____

II. What is the basis for this complaint?

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you or others by the department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

Example: If you believe that you were discriminated against because you are African American, you would mark the box labeled "Race/Color" and write "African American" in the space provided.

Check all that apply:

Race/Color _____
National Origin _____

III. Explain what happened:

Please explain as clearly as possible what happened. Provide the name(s) of witnesses, fellow employees, supervisors, and others involved in the alleged discrimination. Please include all information that you feel is relevant to the investigation. (Attach additional sheets if necessary and provide a copy of any written materials pertaining to your complaint.)

IV. How can this/these issue(s) be resolved to your satisfaction?

V. What is the most convenient time and place for us to contact you about this complaint?

VI. If we will not be able to reach you directly, please give us the name and phone number of a person who can reach you and/or provide information about your complaint:

Name: _____

Phone Number: _____

VII. If you have an attorney representing you concerning the matter raised in this complaint, please provide the following:

Name of Attorney: _____

Address: _____

Phone number: _____

Signature

Date

Note: The policies enforced by this organization prohibit retaliation or intimidation against anyone because the individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form, please contact:

Starkey, Inc.

Title VI Coordinator

4500 W. Maple

Wichita, Kansas 67209

(316) 942-4221 (phone)

(316) 512-4170 (fax)

STARKEY, INC.

DE ACUERDO CON EL TITULO VI

APENDICE B

STARKEY, INC

Título VI Procedimientos de Queja

Este procedimiento de queja y solicitud es para cualquier persona que crea que en base a raza, color, o origen nacional haya sido excluido de participar, denegada de los beneficios, o de lo contrario sometido a discriminación en cualquier programa o actividad administrada por STARKEY, INC., conforme a las leyes, reglas y regulaciones de discriminación incluyendo, pero no limitado al Título VI del Acto de Derechos Civiles de 1964, Orden Ejecutiva 12898, "Acciones Federales para Abordar a Justicia Ambiental en Poblaciones de Minorías y Poblaciones de Ingresos Bajos", o Orden Ejecutiva 13166 "Mejor Acceso a Servicios para Personas con Conocimientos Limitados en el Idioma Inglés". Este procedimiento de queja se aplica a asuntos relacionados con el Título VI, E.J., or LEP.

Estos procedimientos no niegan el derecho de el/la demandante a introducir quejas formales con otros estados o agencias federales o buscar ayuda legal para quejas discriminatorias. Estos procedimientos no se limitan a un periodo para buscar un recurso o de lo contrario un paso para buscar una solución. Estos procedimientos son parte de un procedimiento administrativo que no provee soluciones que incluyan daños penales o indemnización equivalente para el/la demandante. Trataremos de hacer un esfuerzo para obtener una solución lo mas rápido posible para el/la demandante. La opción de intervenir informalmente entre las personas afectadas y el Coordinador Title VI puede ser usado en cualquier momento del proceso. El Coordinador Title VI hará todo el esfuerzo para encontrar una solución a la queja. Entrevistas iniciales con el/la demandante y el demandado serán específicas incluyendo oportunidades de arreglo o convenio.

Introducción de la queja

Cualquier individuo o grupo puede introducir en escrito una queja con el supervisor de título VI de STARKEY'S. La dirección de correos y información de contacto es la siguiente:

Starkey, Inc.

Supervisor de Título VI

4500 W. Maple, Wichita, Ks 67209

(316)942-4221 (teléfono) or (316)512-4170 (fax)

La queja debe ser presentada en un periodo de 180 días a partir de la fecha en que ocurrió la presunta discriminación. La solicitud de queja puede obtenerse en www.starkey.org o obtener una copia a través del Coordinador Título VI. Tan pronto como introduzca la aplicación, asistencia será otorgada a cualquier persona que no pueda leer o escribir Inglés en cualquier formato debido a una incapacidad.

La aplicación de la queja debe ser completa y debe contener los siguientes requerimientos:

- a. La queja debe ser en escrito y firmada por el demandante(s).
- b. Incluya la fecha y la acción discriminatoria.
- c. Describa en detalle lo que pasó.
- d. Argumentos recibidos por via fax o e-mail serán reconocidos y procesados al momento de establecerse la identificación de el/la demandante y la intención de continuar con el proceso.
- e. Quejas recibidas por teléfono serán escritas y presentadas al demandante para confirmar o revisar antes de ser procesadas. La solicitud de queja será pasada al demandante para el/ella completar la solicitud, firmar y regresarla para procesar. El/la demandante tienen el derecho de quejarse directamente a la agencia federal apropiada. El/la demandante tienen 180 días para introducir una queja con la agencia federal apropiada.

Registro de queja

Los primeros 15 días de haber recibido la queja, el Coordinador Título VI **a)** pasará una copia de la queja a la entidad (WAMPO, Departamento de Transito Wichita, Departamento de Transportación del Estado de Kansas o a la apropiada agencia federal designada en relación a la queja y **b)** mandará la confirmación en escrito anunciando que la queja será investigada.

Para ser aceptada, la queja debe cubrir información básica como raza, color, o origen nacional y los argumentos deben involucrar programas o actividades de ayuda Federal, allegados a esa agencia, o consultantes/contratistas.

Una queja puede ser rechazada por las siguientes razones:

- a. El/la demandante retira la queja.
- b. El/la demandante falla en responder los pedidos repetidos de información necesaria para procesar la queja.
- c. El/la demandante no puede ser localizada.

Al haber sido aceptada la queja, el Coordinador Titulo VI registrará la información en una base de datos identificando lo siguiente: nombre de el/la demandante, bases, presunta discriminación, raza, color, y origen nacional.

Referir la queja a examinador de datos

El Coordinador Titulo VI completará el reviso de la queja en un periodo de 45 días después que la agencia haya recibido la queja y hará la recomendación de acuerdo a los meritos de la queja y si es necesario indicará los pasos a seguir y definir la queja.

Decisión con respecto a la queja

El Coordinador Titulo VI encargado de revisar el caso pasarán la recomendación al Director Ejecutivo para revisar y acordar. Si el Director concluye estar de acuerdo, el/ella emitirá los resultados al demandante y al demandado.

Petición para reconsiderar

Si el demandante no está de acuerdo con la respuesta, el/ella puede hacer un pedido para reconsiderar haciendo el pedido en un periodo de 15 días después de recibir la repuesta. Cualquier persona afectada puede introducir información y/o documentación en escrito al Coordinador para re-enforzar su pedido de reconsideración de la recomendación. Al recibir esta información adicional, el Coordinador Titulo VI y el Director tendrán 10 días para

afirmar o revocar la recomendación original y proveer una nota en escrito al demandante y demandado. Si ninguno de ellos hace un pedido de reconsideración, la recomendación será final.

Acuerdo

Si la recomendación o reconsideración final soporta los datos emitidos por la queja, el Coordinador Titulo VI tratará de negociar un acuerdo amigable sobre los asuntos de la queja. Formalmente, acuerdos en escrito requieren ser revisados por la agencia antes de ser ejecutados y necesitan las firmas de las personas involucradas, Coordinador Titulo VI y el Director Ejecutivo.

Introducción de la queja a través de WAMPO & Departamento de Transito Wichita, Departamento de Transporte del estado de Kansas o la Administración Federal de Transito

El/la demandante puede introducir una queja en escrito al estado o agencia federal apropiada de acuerdo con los requerimientos del estado o agencia federal.

NOTA: Las quejas deben ser introducidas a las agencias federales en un periodo de 180 días después de la presunta discriminación haya ocurrido. Acción inmediata es necesaria para que las agencias de estado, federal puedan revisar y responderá diferencia de las respuestas de STARKEY

Wichita Area Metropolitan Planning Organization.

455 N. Main Street, 10 Floor

Wichita, KS 67202

KDOT Office of Civil Rights

Eisenhower State Office Building

700 South West Harrison

3rd Floor West

Topeka, Ks 66603

Federal Transit Administration Office of Civil rights

Attention: Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Ave., S.E.

8th Floor E81-314

Washington, DC 20590

8. Confidencialidad

Lo más posible y lo que la ley permita, se mantendrá confidencialidad durante el proceso formal e informal de investigación.

9. Documentos de Investigación

Los documentos se mantendrán de acuerdo a las guías Federales o en ausencia, a las guías Estatales.