



BOISE COUNTY

RESOLUTION #2013-3 A BOISE COUNTY RESOLUTION ADOPTING A BOISE COUNTY DISCRIMINATION COMPLAINT PROCEDURE POLICY

WHEREAS, to ensure that any discrimination occurring within the local public agency (LPA) of Boise County is properly administered, the Boise County Board of Commissioners has drafted a Discrimination Complaint Procedure Policy in accordance with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended; and

WHEREAS, diligent review and discussion of the policy has been held by the Boise County Board of Commissioners; and

WHEREAS, an agreement has been reached on the verbiage and direction contained in the new Discrimination Complaint Procedure Policy;

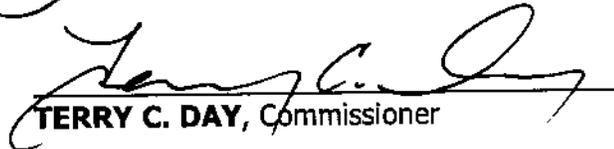
NOW THEREFORE BE IT RESOLVED, that the Boise County Board of Commissioners does hereby approve this policy, known as the Discrimination Complaint Procedure Policy, as described in Exhibit A and B attached.

APPROVED and ADOPTED this 22nd day of October, 2012 in open session of the Boise County Board of Commissioners.

BOISE COUNTY BOARD OF COMMISSIONERS


ROBERT A. FRY, Chair


JAMIE A. ANDERSON, Commissioner


TERRY C. DAY, Commissioner



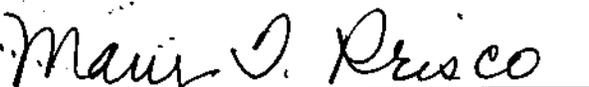

Mary T. Prisco, Clerk to the Board

EXHIBIT A

Discrimination Complaint Procedure Policy

General Procedures

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 Boise County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to Boise County's Title VI Coordinator for review and action.

In order to have the complaint considered 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 and the date on which that conduct was discontinued.

In either of the above cases, the elected Boise County Clerk, or their 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.

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 Boise 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 Sponsor's investigative procedures as outlined in Exhibit B.

EXHIBIT B

Discrimination Complaint Procedure Policy

ITD Specific Procedures

All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department (ITD) for investigation.

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, such as to ITD and/or the US Department of Transportation (USDOT).

The elected Boise County Clerk, will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the elected Boise County Clerk.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the elected Boise County Clerk has taken or proposed, to resolve the issue raised in the complaint.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the elected Boise County Clerk. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the elected Boise County Clerk will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD or USDOT, if they are dissatisfied with the final decision rendered by the elected Boise County Clerk. The Title VI Coordinator will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

Title VI Administrator/Elected Boise County Clerk

Mary T. Prisco
PO Box 1300
Idaho City, ID 83631
208-392-4431 x125
mprisco@co.boise.id.us

Idaho Transportation Department

Equal Employment Opportunity Office – External Programs

Diane Steiger, EEO/DBE Program Manager, Title VI & ADA Coordinator
PO Box 7149
Boise, ID 83707-1129
208-334-8266
diane.steiger@itd.idaho.gov

Federal Highway Administration

Idaho Division Office

Peter Hartman, Division Administrator
3050 Lakeharbor Lane, Suite 126
Boise, ID 83703
208-334-9180

**ACKNOWLEDGMENT: RECEIPT OF DISCRIMINATION COMPLAINT PROCEDURE
POLICY.**

I, _____, acknowledge receipt of the Boise County
Discrimination Complaint Procedure Policy, adopted on October 29th, 2012.

Please initial each statement below if it is true.

___ I understand that it is my responsibility to read and understand the contents of this Policy.

___ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Policy and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the Policy.

___ I understand that this Policy may be modified without prior notice to me.

___ I understand that should this Policy be modified, that I will be provided with a copy of the modification.

DATED this _____ day of _____, 20____.

(Employee)

I, _____, provided a copy (either electronically or by paper) of the Discrimination Complaint Procedure Policy, as adopted by the governing Board on October 29th, 2012, to _____, on this _____ day of _____, 2012.

(Name - Title - Department)