

RESOLUTION 2009-44

A RESOLUTION APPROVING CITY OF LEWISTON TITLE VI POLICY DATED APRIL 15, 2009; AND PROVIDING EFFECTIVE DATE.

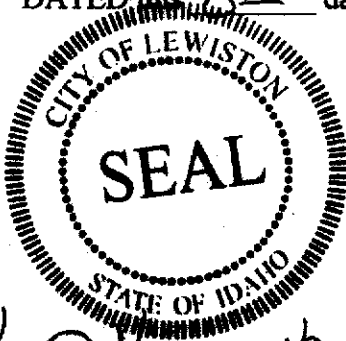
BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: The Policy and resolution previous is hereby repealed.

SECTION 2: That the City of Lewiston Title VI dated April 15, 2009, a copy of which is annexed hereto and by reference made a part of this resolution, be and is hereby approved.

SECTION 2: This resolution shall take effect and be in force from and after its passage and approval.

DATED this 8th day of June, 2009.



CITY OF LEWISTON

By: Douglas W. Havens
Douglas W. Havens, Mayor

ATTEST: Kari J. Kuchmak
Kari J. Kuchmak, City Clerk

**City of Lewiston
Title VI Policy
Effective 6/18/08: Updated 4/15/09**

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive Federal financial assistance. The City of Lewiston hereinafter referred to as the Recipient assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (Public Law 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Recipient further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs and activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors/consultants, whether such programs and activities are Federally assisted or not (Public Law 100.259(S.557) March 22, 1988.) In the event the Recipient distributes Federal aid funds to a subrecipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient is responsible for investigating complaints of discrimination and correcting discriminator acts, if they occur.

There are many forms of illegal discrimination based on race, color, or national origin that can limit the opportunity of individuals to gain equal access to services and programs. It is the policy of the Recipient that illegal discrimination based on race, color, or national origin will not be tolerated.

Following the City's Discrimination Complaint Procedure, the Recipient will make a prompt investigation whenever a complaint or any other information indicates a possible failure to comply with Title VI of the Civil Rights Act as indicated through the Complaint Procedure. The Recipient will provide the complainant a copy of the City's Discrimination Complaint Procedure and form for reporting the complaint. The investigation will include, where appropriate, a review of the pertinent practices and policies of the Recipient and subrecipients, the circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether the Recipient or subrecipient has failed to comply with Title VI.

After the investigation has been completed and within 10 days, the Recipient will report its findings to the complainant in writing following the documented Discrimination Complaint Procedure and using appropriate City forms. A letter to the complainant will 1) explain the steps the Recipient and/or subrecipient has taken or promises to take to come into compliance with Title VI, or 2) an explanation of why the Recipient or subrecipient was not found to be in non-compliance, and provide notification of the complainant's appeal rights.

The Recipient will offer the complainant and the public transportation provider the opportunity to provide additional information that would lead the City to reconsider its conclusions. The complainant or Recipient or subrecipient must provide additional information within 60 days of the date of the Recipient's letter of finding was transmitted. After reviewing this information, the Recipient will respond either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force within 60 days of receiving the appeal.

The Recipient's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports, and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

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