

City of Wichita Non-Discrimination Policy

Notice of Prohibited Discrimination:

It is the policy of the City of Wichita that all individuals have the right to participate in employment, programs, and activities operated by the City of Wichita regardless of race, color, national origin, sex, religion, disability, and age. As a condition of state and/or federal grant funding, the City of Wichita agrees to operate in compliance with the following statutes and regulations and all other regulations implementing the same:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in the delivery of services and which entails taking reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to funded programs or activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. (42 U.S.C. § 2000d), and the Department of Justice (DOJ) implementing regulations at 28 C.F.R. Part 42, Subpart C;
- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I;
- Executive Order 13,559, amending Executive Order 13,279, and the DOJ implementing regulation, Partnerships with Faith-Based and Other Neighborhood Organizations 28 C.F.R. pt. 38 (prohibiting discrimination in federally assisted social service programs based on religion in the delivery of services or benefits);
- Section 1407 of the Victims of Crime Act (VOCA) of 1984, which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability (42 U.S.C. § 10604 *et seq.*);
- The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672b); and
- Violence Against Women Act (VAWA) of 1994, as amended, 42 U.S.C. § 13925(b)(13) (prohibiting discrimination in programs either funded under the statute or administered by the Office on Violence

Against Women, both in employment and in the delivery of services or benefits, based on actual or perceived race, color, national origin, sex, religion, disability, sexual orientation, and gender identity) (referring to the Safe Streets Act for enforcement).

In addition to these, if the City of Wichita is a recipient of funds under the Violence Against Women Act of 1994, as amended, these protections apply to individuals regardless of their sexual orientation or gender identity.

In addition to the protections listed above, these laws prohibit the City of Wichita from retaliating against an individual for taking action or participating in action to secure rights protected by these laws.

How to File a Complaint:

If anyone believes the City of Wichita or a subgrantee has discriminated against an employee, a client, a customer or a program participant, or anyone else, and/or if an employee or subgrantee receives a complaint of alleged discrimination, please notify the City of Wichita's complaint coordinator by e-mail, letter, telephone, or fax:

City of Wichita Civil Rights Liaison: Susan Leiker
City Hall
455 N. Main Street, Second Floor
Wichita, KS 67202
Telephone: 316-268-4531
Fax: 316-858-7323
e-mail: sleiker@wichita.gov

Or notify:
Office of Justice Programs
Office of Civil Rights
810 7th Street NW
Washington, DC 20531
Telephone: 202-307-0690
Fax: 202-616-9865
TTY: 202-307-2027

The City of Wichita civil rights liaison will provide written acknowledgement of receiving the complaint, will coordinate the complaint process, and will urge the charging party to file a complaint with the Kansas Human Rights Commission (KHRC) and/or for employment discrimination claims, the Equal Employment Opportunity Commission (EEOC) and the Office for Civil Rights (OCR). Additionally, the City of Wichita civil rights liaison will advise the charging party that a complaint must be filed with KHRC and EEOC within either 180 days or one year from the date of the alleged violation, depending on the relevant statute, in order to protect the charging party's rights.

The City of Wichita civil rights liaison will request the charging party to provide the following information when making a complaint:

1. Date of alleged discrimination;

2. Protected class claimed;
3. Written detail of the alleged discrimination; and
4. A signature attesting to the facts alleged.

In no later than five business days after receiving a complaint in the form described above, the City of Wichita civil rights liaison will refer the complaint in writing on to the KHRC and/or for employment discrimination claims, the EEOC, and/or the OCR depending on the nature of the complaint. The City of Wichita civil rights liaison will, along with the submission of the complaint, submit a request to be notified of the findings of the relevant agency/agencies. The City of Wichita will not conduct an independent investigation, but will assist the relevant investigative agency/agencies in the investigation.

Public Notification:

The City of Wichita shall make available this Non-Discrimination Policy to all City of Wichita staff, program beneficiaries, and DOJ funded subgrantees. The policy is to be included with information materials given to all new City of Wichita staff and posted on the City of Wichita's website. Non-discrimination clauses will be incorporated in all agreements, award packets, and contracts that operate with the City of Wichita.

The City of Wichita will ensure that subrecipients have procedures in place for responding to any discrimination complaints that they receive from beneficiaries by requiring such procedures to be provided in writing to the City of Wichita, and by including such requirement in grant assurances. City of Wichita staff shall also conduct annual compliance reviews of all subgrantees. During the reviews, civil rights compliance will be closely scrutinized.

Required Training:

The City of Wichita shall provide its employees and subrecipients information and training regarding the complaint procedures and non-discrimination obligations set forth in this policy.

The civil rights liaison will provide training for City of Wichita staff on the Non-Discrimination Policy once a year. The training will include an overview of complaint policies and procedures, including staff responsibility to refer discrimination complaints from program beneficiaries and DOJ funded subgrantees to the appropriate agencies listed above and to the designated Civil Rights Liaison. City of Wichita staff will sign a form certifying receipt of the Non-Discrimination Policy and completion of Non-Discrimination Policy training. City of Wichita staff will receive Non-Discrimination Policy training within 60 days of start date. Such training shall be documented by the City of Wichita including a copy of the written material provided and a list of attendees.

City of Wichita staff shall provide civil rights training, one time per grant period, to all DOJ subgrantees. The training addresses the applicable civil rights laws as well as subgrantees' responsibility to notify employees and beneficiaries of non-discrimination practices, to have a policy to process civil rights complaints, and designate a civil rights liaison. Attendance at the training is a condition of receiving a DOJ subgrant award. Such training shall be documented by the City of Wichita including a copy of the written material provided and a list of attendees.