

RESOLUTION NO. 16-011

**A RESOLUTION OF THE CANYON COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING NON-DISCRIMINATION PROCEDURE**

The following resolution and order was considered and adopted by the Canyon County, Idaho Board of Commissioners ("Board") on this 19 day of January, 2016.

Upon the motion of Commissioner Hanson and the second by Commissioner Sale, the Board resolves as follows:

**WHEREAS**, Idaho Code § 31-801 grants general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

**WHEREAS**, Idaho Code § 31-828 grants the Board authority "to do and perform all other acts . . . which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and

**WHEREAS**, Idaho Code § 31-807 authorizes the Board to manage county property subject to restrictions including, but not limited to, those described in Idaho Code § 31-808; and

**WHEREAS**, The Board entered into Resolution No. 2000-09 on January 5, 2000, adopting the Americans with Disabilities Act Grievance Procedure; Resolution No. 01-028 on March 12, 2001, again adopting the Americans with Disabilities Act Grievance Procedure; and Resolution No. 06-007 on January 6, 2006, adopting a policy regarding non-discrimination; and

**WHEREAS**, it is in the County's best interest to ensure that all practices comply with the requirements of Title VI of the Civil Rights Act of 1964; Americans with Disabilities Act of 1990; and Section 504 of the Rehabilitation Act of 1973; and

**WHEREAS**, it is the County's desire to provide a procedure where any person who feels they have been unlawfully discriminated against because of a disability, in any way, can make a complaint and have prompt action taken appropriately.


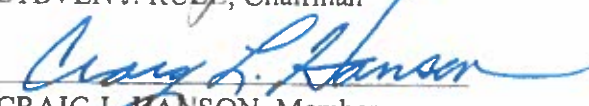
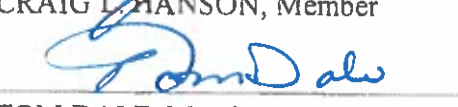
**WHEREAS**, the County has created a Discrimination Complaint Procedure, Non-Discrimination Policy Statement, and Discrimination Complaint Form, which will be made available for all County employees, as well as members of the public. See, attached as Exhibit A, B, and C.

**NOW THEREFORE, THE BOARD HEREBY RESOLVES**, and adopts the Non-Discrimination Procedure, Non-Discrimination Policy Statement, as well as the Discrimination Complaint Form.


A RESOLUTION ADOPTING  
NON-DISCRIMINATION PROCEDURE

IT IS FURTHER RESOLVED BY THE BOARD, that this resolution shall be effective this 19 day of January, 2016.

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 STEVEN J. RULE, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 CRAIG L. HANSON, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TOM DALE, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST: CHRIS YAMAMOTO, CLERK

By:   
Deputy Clerk



## Canyon County Discrimination Complaint Procedure

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 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, may file a complaint with Canyon County. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to Canyon 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, the date on which that conduct was discontinued.

In either case, Canyon County or its designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reasons 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 an officer or employee of Canyon 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 below.

Please Note This Exception to the Procedures Below. All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department 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).

Canyon County 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 complainant (i.e., race, color, national origin or sex).

- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by Canyon County.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the action Canyon County 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 Canyon County's authorized representative(s). 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, Canyon County's authorized representative(s) 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 Canyon County. 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:

Canyon County Title VI Coordinator  
Jeannine Eiband, HR Director  
Canyon County Administrative Building, Ste. 310  
Email: [hrdept@canyonco.org](mailto:hrdept@canyonco.org) or [jeiband@canyonco.org](mailto:jeiband@canyonco.org)  
111 North 11th Avenue  
Caldwell, Idaho 83605

Idaho Transportation Department  
Equal Employment Opportunity Office – External Programs  
Ken Angell, EEO/DBE Program Manager, Title VI & ADA Coordinator  
PO Box 7149  
Boise, ID 83707-1129  
208 334.8884  
[Ken.angell@itd.idaho.gov](mailto:Ken.angell@itd.idaho.gov)

Federal Highway Administration  
Idaho Division Office  
Peter Hartman, Division Administrator  
3050 Lakeharbor Lane, Suite 126  
Boise, ID 83703  
208.334.9180



## Canyon County Non-Discrimination Policy Statement

Canyon County, hereinafter referred to as the "Recipient" assures that no person shall on the grounds of race, color, nation origin, sex, age, disability, Limited English Proficiency, low-income, and minority as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259), and subsequent related acts, be excluded from participation in, be denied 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.

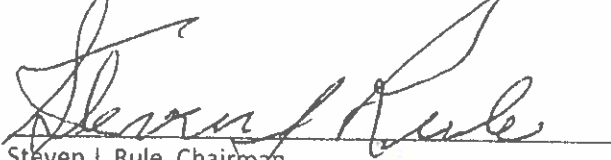
The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs and activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100.259 (S.557) March 22, 1988).

In the event the Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

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

SIGNED AND DATED: January 19, 2016

CANYON COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Steven J. Rule, Chairman

  
\_\_\_\_\_  
Craig L. Hanson, Commissioner

  
\_\_\_\_\_  
Tom Dale, Commissioner



Canyon County

## Discrimination Complaint Form

111 N. 11<sup>th</sup> Ave, Suite 310, Caldwell, ID 83605

Name	Phone Number	Name of Person(s) or Agency that you are reporting
Your Address – Street (PO Box), City, State, Zip		Name, Address and Position of Person that you are reporting, if known:
Discrimination Claim Because of:  <input type="checkbox"/> Race/Color <input type="checkbox"/> Sex <input type="checkbox"/> Disability  <input type="checkbox"/> LEP/EJ <input type="checkbox"/> Age <input type="checkbox"/> National Origin		Date of Alleged Incident
<p><b>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Describe the corrective action you are seeking. Also attach any written material pertaining to your claim.</b></p>		
<p><i>I certify to the best of my knowledge, the statements and information contained in these documents are true, accurate and complete. (Upon completion please send this form to the address listed above )</i></p>		
Signature		Date

Exhibit C