

**Lexington Area MPO
Americans with Disabilities Act (ADA) Complaint Procedure**

The Lexington Area Metropolitan Planning Organization (MPO) is committed to a policy of non-discrimination in the operation of its programs and services without regard to a person's disability. The US Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA) state, in part that "no otherwise qualified individual with a disability shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in the delivery of government services, programs and activities. Any person who believes that he or she, individually, or as a member of any specific group of persons with a disability, has been subjected to discrimination by the Lexington Area MPO is encouraged to report a Title II complaint within 180 days of the alleged discrimination to:

Chris Evilia, Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507

At the complainant's discretion, the complaint may be filed with the Lexington Area MPO and/or the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights and the Secretary of the US Department of Transportation.

Submission of Complaints

All complaints, written or verbal, shall be accepted. In the event a complainant sets forth the allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made shall reduce the complaint to writing.

Complaints should contain the following information, ideally utilizing the [MPO ADA Complaint Form](#):

1. Name, address, and telephone number of the complainant.
2. The date or dates on which the alleged discriminatory event or events occurred.
3. The nature of the incident that led the complainant to feel discrimination was a factor.
4. Names, addresses and telephone numbers of persons who may have knowledge of the event.
5. Other agencies or courts where complaint may have been filed and a contact name.
6. Complainant's signature and date.

If information is needed in another language, contact (859) 258-3162.

Si se necesita informacion en otro idioma, comuniquese con (859) 258-3162.

Determination of Jurisdiction

The complaint will be reviewed to determine if the Lexington Area MPO has jurisdiction. The complainant will receive an acknowledgement letter from the MPO informing her/him if the complaint is being investigated by our office or if the case has been referred to the MPO's Legal Counsel, the Kentucky Transportation Cabinet, the Secretary of the US Department of Transportation, or other appropriate agency.

Investigation, Requests for Additional Information & Administrative Closure

The MPO has 90 days to investigate the complaint. If additional information is needed to resolve the case the MPO may contact the complainant. The complainant has 45 business days from the date of the request to provide any additional information that has been requested. If the investigator is not contacted by the complainant, or does not receive additional information within 45 business days, the MPO can administratively close the case. A case may also be administratively closed if the complainant no longer wishes to pursue their case.

Notice of Disposition/Appeal to Other Agencies

The complainant will be notified in writing of the disposition of the complaint. In cases where the complainant is dissatisfied with the resolution by the Lexington Area MPO the complaint may be submitted to the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights, or the US Department of Justice. See contact information below.

Kentucky Transportation Cabinet
ADA Coordinator
Office for Civil Rights and Small Business Development
200 Mero Street, W-6-01
Frankfort, Kentucky 40622
1-800-928-3079

Kentucky Commission on Human Rights
332 W. Broadway, Suite 700
Louisville, Kentucky 40202
1-800-292-5566

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530