

Blue Grass Airport Title VI Plan

1. Title VI Policy Statement¹

The Lexington-Fayette Urban County Airport Board (hereafter "Board") assures that no person shall on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

The Board further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. The Board agrees, among other things, to understand the communities surrounding or in the flight path, as well as customers that use the airport. Anytime communities may be impacted by programs or activities the Board will take action to involve them and the general public in the decision-making process.

The Board requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between the Board and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Don Sever, Vice President of Finance and Administration, is responsible for overseeing the Board's compliance with Title VI. Tiffany Carter, available at 859.425.3106 and tcarter@bluegrassairport.com, also assists with program oversight and is the first point of contact for all airport Title VI matters and related responsibilities, including those required by 49 CFR Part 21.



Signature

Eric J. Frankl, A.A.E.
President & CEO

January 1, 2024
Effective Date

January 1, 2027
Three-Year Expiration Date

¹ This policy statement will be translated into languages other than English, upon request and based on patron and local language demographics.

2. Administration

The Board has reviewed and adopted this Title VI Plan for Blue Grass Airport. This plan will be updated no less than once every three years. The plan will not be re-adopted following minor changes, such as updating the President & CEO's or Coordinator's name. Significant revisions to our policies or federal guidelines may warrant resubmittal to FAA.

In addition to the Coordinator and Board's leadership, the following people also assist with our Title VI program requirements:

Staff Supporting Title VI Program	Airport Sponsor Program / Office
Autumn Cole	Grants and Accounting Coordinator

The Board has the following airport program sub-recipients:

Sub-Recipients
None

As of the date of this plan, the Board has the following pending applications for Federal financial assistance:

Federal Source	Grant Number	Amount
FAA-AIP Baggage System Replacement	Unknown	\$900,000
FAA-AIP West Airfield Lighting	Unknown	\$1,323,000
BIL Grant Baggage System	Unknown	\$3,610,000
BIL Grant Passenger Boarding Bridges	AIP-90 and AIP-91	\$3,009,262
BIL Grant Solar Array	Unknown	\$2,565,000
BIL Grant Airline Conveyor	Unknown	\$1,330,000

In addition, the Board's sub-recipients have the following pending applications for Federal financial assistance (either directly from the FAA, or passed through the State DOT):

Federal Source	Grant Number	Amount
None		

Updated information for pending and awarded grant applications will be available through the following methods:

Federal Source	Grant Award Information Available at:
Department of Homeland Security	www.DHSgrantinfo.gov
Department of Justice	www.USgrantsinfo.net
FAA AIP	https://www.faa.gov/airports/aip/

3. Grant and Procurement Assurances

49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b)

The Board will complete standard grant assurances for Title VI and related requirements, in the form prescribed by FAA. See https://www.faa.gov/airports/aip/grant_assurances/#current-assurances.

Clauses/Covenants

- a. All contracts, leases, deeds, licenses, permits, and other similar instruments, must contain the contractual requirements and clauses, in the form prescribed by the FAA. See https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/. Note that unlike many other clauses, Civil Rights clauses are required in all contracts. Note also special clauses that are required for certain types of contracts, such as land acquisition.
- b. The Board requires Civil Rights clauses to be included in solicitations and contracts for all subcontractors, subleases, and any other agreements.

Description of Oversight Methods for Subcontracts

A subcontract template must be used in all subcontracts related to the airport. Contracts will be randomly audited during the year to verify the subcontracts that are a part of those primary contracts include the required language. No less than three contracts per year will be selected and audited.

4. Title VI Coordinator Responsibilities

The Coordinator is responsible for ensuring that they and other staff supporting the Title VI are trained in Title VI requirements. Essential training topics include:

- Basic Title VI requirements
- Airport language assistance resources and practices
- Collecting and assessing demographic data
- Reporting Title VI complaints and other required FAA notifications

See Training Section for more information for expected training for all staff.

Among other responsibilities, the Coordinator and the Vice President of Finance and Administration will:

- Proactively ensure that the Board is in compliance with the nondiscrimination requirements of Title VI and report to the Board's leadership on the status of Title VI compliances.

- Respond promptly to requests by FAA for data and records and for the scheduling of compliance reviews and other FAA meetings to determine compliance with Title VI and related requirements.
- Receive discrimination complaints covered by Title VI and related requirements, and forward them to the FAA, within 15 days of receipt, together with any actions taken to resolve the matter.
- Provide the FAA with updates regarding its response and status of early resolution efforts to complaints concerning Title VI and related requirements (49 CFR Part 21, Appendix C(b)(3)), including resolution efforts.
- Annually review the airport's Title VI plan and disseminates information throughout staff and the Board's leadership as needed.
- Coordinate data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by airport programs. The data will be regularly assessed and readily available upon request (49 CFR § 21.9(b) & (c)). Data collection methods may include optional demographic questions in: airport customer satisfaction surveys, customer complaints, airport event sign-in sheets, and bids/proposals for airport contracts, and other methods described in the airport Community Participation Plan (CPP).
- Maintain demographic data for members of appointed planning and advisory bodies for the airport. Identifies any disparities compared to the community. Provides information to the membership selecting official/committee, particularly when vacancies occur.
- Maintain a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours (49 CFR 21, Appendix C (b)(2)(i)).

See Notice, Compliance reviews, Audits, Lawsuits, and Other Investigations, and Complaints Sections of this Plan.

The Coordinator has requested and received access to the Title VI portion of the FAA Civil Rights Connect System (<https://faa.civilrightsconnect.com/>).

5. Notice

49 CFR Part 21 Appendix C(b)(2)(ii)

The Board will conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity. The Coordinator ensures that these posters are visible, accessible,² and maintained. The poster template is available at www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/ and a completed copy is attached. See Section 15 Appendix.

The Board has posted the above Title VI policy statement at its staff offices.

² For more information about website accessibility, please visit ADA.gov.

The Board will distribute this Title VI Plan among its employees and airport contractors, concessionaires, lessees, and tenants. This plan will be distributed by email and will also be available via a link on the Airport’s website.

Posters are displayed in the terminal and other areas on airport property, including the following public locations:

Terminal/FBO/Concessions/ Other Locations	Quantity in Pre-Security Area	Quantity in Post-Security Area	Additional Quantities
Airport Terminal	2	1	N/A
Signature Flight Support Terminal	1	N/A	N/A
WestLEX General Aviation Services	1	N/A	N/A
Airport Administrative Office	1	N/A	N/A

Outreach to Affected Communities

The Marketing and Community Relations department ensures that notices for public meetings reach all segments of the impacted community. The Vice President of Marketing and Community Relations will identify the effective media platforms to share announcement and notices. Announcements are made in social media, general circulation newspapers, community newspapers, and email broadcast. The Marketing and Community Relations department contacts leaders and representatives in Affected Communities directly to confirm effective media platforms to reach all Affected Communities³ and provide important feedback on translated materials. The office maintains records of all such notices and the efforts made to reach each of the Affected Communities.

Detailed information on our public notice and outreach procedures will be available in the Board’s Community Participation Plan (CPP). The Board will create a detailed CPP by February 1, 2024 and it will be available in the Airport’s Administrative Office.

To ensure that the community is effectively informed of and able to participate in public hearings, the Marketing and Community Relations department includes public notices translated into appropriate languages, including for any language spoken by a significant number or proportion of the Affected Community population that has Limited English proficiency (LEP). Such social media postings/notices will include direction for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency Section.

³ We will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term “protected communities” is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and in some instances, includes low-income populations under Executive Order 12898.

6. Community Statistics

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the Board will be able to identify, understand, and engage with communities. In doing so, the Board needs to know about communities eligible to be served, actually or potentially affected, benefited or burdened by the Board’s airport program.

Affected Communities⁴	Population
Bourbon County	19,941
Clark County	36,199
Fayette County	309,254
Jessamine County	51,659
Scott County	55,727
Woodford County	26,409

(Hereafter, the above communities will be referred to collectively as “the Affected Communities”).

We have identified the following facts about the Affected Communities:

Low Income Communities⁵

A low-income area is an identifiable group of persons living in geographic proximity, whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” The Board is collecting information about affected and potentially affected low-income communities. According to the *U.S. Census Report S1701: Poverty Status in the Past 12 Months (2022)*, the overall poverty level for the Lexington-Fayette Metropolitan Statistical Area is approximately 13.7%. The poverty rate remains lower than the overall rate for the state, which is 16.1%. The poverty rates for the specific Affected Communities are as follows.

Affected Communities	Poverty Rate
Bourbon County	15.1%
Clark County	15.1%
Fayette County	14.9%
Jessamine County	12.1%
Scott County	9.3%
Woodford County	8.4%

⁴ “Affected communities” means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

⁵ Low-income data must be collected to assist in our compliance with Environmental Justice requirements (not Title VI requirements). For example, this data will be utilized in our Community Participation Plan (CPP) to help ensure the meaningful involvement of low income communities in airport programs and activities.

Racial and Ethnic Communities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows⁶:

Affected Community: Lexington-Fayette MSA		
Total Affected Community Population: 499,189		
Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	390,826	78.2
Black or African American	53,416	10.7
American Indian or Alaska Native	845	.17
Asian	14,457	2.9
Native Hawaiian or Other Pacific Islander	54	.01
Some other race alone	11,955	2.4
Two or more races	27,636	5.5
Hispanic or Latino origin (of any race)	32,339	6.5
White alone, not Hispanic or Latino	380,592	76.2

⁶ Recommend using demographic groups from the U.S. Census.

	Bourbon County	Clark County	Fayette County	Jessamine County	Scott County	Woodford County
White alone	17,080	32,873	223,753	46,659	49,325	23,108
Black or African American alone	985	1,422	46,923	2,246	2,777	999
American Indian or Alaska Native alone	0	30	156	32	27	13
Asian alone	24	232	13,185	715	563	101
Native Hawaiian or Other Pacific Islander alone	0	0	32	6	0	0
Some other race alone	23	49	815	213	112	44
Two or more races	665	1,060	12,573	1,415	1,892	828
Hispanic or Latino origin (of any race)	1,451	1,231	23,839	2,095	2,590	1,793
Total	20,228	36,897	321,276	53,381	57,286	26,886

Limited English Proficiency (LEP).

The goal of all language access planning and implementation is to ensure that the Board communicates effectively with Limited English proficient (LEP) individuals. Effective language access requires self-assessment and planning. The next table lists non-English languages⁷ that are spoken in LEP households in the Affected Communities. The data source is the *SI601 US Census American Community Survey*.

The threshold we have used for identifying the languages with significant LEP populations is the DOT LEP Policy Guidance safe harbor threshold, which is 5% or 1,000, whichever is less.⁸ The safe harbor for our community is 1,000. Please refer to the end of this document to find data for all languages in our community.

Languages Spoken by LEP Population that Meet the Safe Harbor Threshold	Number	Margin of Error
Speak English less than “very well”	20,849	+/-2,693
Spanish	9,566	+/-1,901

⁷ Recommend using language groups from the U.S. Census, and using data for the “Speak English less than ‘very well’” category for each language over the threshold.

⁸ See the DOT LEP Policy Guidance at <https://www.federalregister.gov/d/05-23972/p-133>. The safe harbor provisions apply to the translation of written documents only; however, it provides a consistent starting point for identifying significant LEP populations.

Frequency of contact with LEP individuals at the airport and airport-related activities (all languages):

Languages Spoken by LEP Persons	A few times a year (12 or less days a year)	Several times a month (13 to 51 days a year)	At least once a week (52 to 364 days a year)	Daily (365 days a year)
Spanish			X	
Swahili	X			
Arabic	X			
Nepali	X			
French	X			
Mandarin	X			
Japanese	X			
Kinyarwanda	X			
Korean	X			
Portuguese	X			

Additional languages spoken by significant numbers of LEP persons in the Affected Communities, local schools, emergency service providers, and others, include:

Additional Languages Spoken
None

This information is updated annually⁹ through checking the following resources:

Data Sources for Languages Spoken in Affected Community	Website link to Data Source
U.S. Census Bureau	https://data.census.gov/cedsci/table?q=B16001&tid=ACSDT1Y2019.B16001
Consultation with Global LEX (local international community center)	https://www.lexingtonky.gov/global-lex

Beneficiary Diversity.

Demographic information is collected from airport customers, attendees at community meetings, and businesses seeking opportunities at the airport, through voluntary disclosures.

Description of Beneficiary Demographic Information Collection Methods

Participants at small business workshops and airport customer service surveys may be asked to complete an anonymous survey that includes demographic information. Voluntary disclosure by attendees in sign-in sheets for public meetings.

⁹ Data should be kept up-to-date, but this plan does not need to be updated for incremental data changes during the Plan’s 3-year period.

Staff and Advisory Board Diversity.

Demographic information is collected from airport program employees and members of planning and advisory boards, through voluntary disclosures.

Description of Employee & Advisory Board Demographic Information Collection Methods

- Employees are asked to voluntarily submit demographic information at time of hiring. Even if ethnicity is provided, it is only seen by Human Resources. Job applicants are asked to submit the same information when submitting their job application through the job application website. During the recruitment process, only Human Resources can view any ethnicity information voluntarily provided by the applicant. It is not visible to the hiring manager, even if provided by the applicant.
- Upon applying for a Board position with the Lexington-Fayette Urban County Government (via the mayor’s application process), applicants can submit voluntary demographic information.

7. Potential or Known Community Impacts

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no Board activity must have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means that policies or procedures that have a disparate impact would require a well-documented substantial legitimate nondiscriminatory justification, summarized below. Impacts to protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.¹⁰

The following airport facilities are already in use or under construction and expected to be in use within the next three years:

Existing Airport Facilities	Affected Community Impacted by Operation of the Facility
Runways	Fayette and immediate surrounding counties
Terminal Building	Fayette County
WestLEX General Aviation Services	Fayette County
Fixed-Base Operator	Fayette County
Hangars	Fayette County
Parking Garage	Fayette County
Rental Car Ready Return Lot	Fayette County
Rental Car Service Facilities	Fayette County
Air Traffic Control Tower	Fayette County

¹⁰ In order to carry out an alternative with a discriminatory impact, the airport sponsor must demonstrate that there was a substantial legitimate justification for the decision. The sponsor must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next the years:

Airport Facility Construction Projects	Affected Community Impacted by Construction of the Facility
Miscellaneous Terminal Rehabilitation	None
Fuel Farm Expansion	None
Runway 22 End EMAS	Fayette County
ARFF Training Center Modernization	None
Hangar Construction (2)	None

We have analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

Facilities or Construction Projects with Disparate Impacts	Affected Community Impacted	Impact Can Be Eliminated?
None		

Justifications:

Facilities or Construction Projects	Justification
None	

8. Limited English Proficiency (LEP)

Executive Order 13166

In creating a Language Assistance Plan, the Board will consider the volume, proportion, or frequency of contact with LEP persons in determining the appropriate language assistance to provide.

In Community Statistics section, we identified the following languages spoken by LEP persons in the Affected Communities:

Language
Spanish
Other Indo-European languages
Asian and Pacific Island languages
Other languages

The Board also collects data for languages spoken by airport guests.¹¹ Data sources include:

¹¹ We aim to provide appropriate language assistance services to every LEP person encountered. This includes instances when LEP statistical data for a particular language was not available beforehand, or the safe harbor threshold for written translation was not met.

Data Sources for Languages Spoken by Airport Guests	Website link to Data Source
Airport language line usage data	www.language-line.com
Feedback from airport staff and tenants	N/A
Assumption from flight origin / destination	N/A
Assistance requests to Guest Services	N/A

Based on the above data, the following additional languages have been identified as likely to be spoken by LEP airport guests:

Language
None

The Title VI Coordinator will also actively engage with community educators, community groups, places of work, business groups, social groups, and the like to confirm that translation and interpretation services are accurate and effective. Additionally, the Title VI Coordinator will inform leadership and staff of the Board’s responsibility to provide language access. We have made the following plans to provide translation services free of charge to ensure that individuals with LEP have access to the benefits of the airport:

Translation Services:

- All written notices contain a statement, when appropriate, of how to receive translated written materials.
- The following vendors have been identified for written translations:

Translation Vendors	Languages
Language Line, Inc.	All above languages
Global Lex (international center)	Varies, depending on staff at the time

- Information regarding translation services can be obtained at the Marketing and Community Relations department in the airport terminal.

Location for Translation Assistance	Languages
Airport Marketing & Community Relations	All above languages, via Language Line, Inc. and Global Lex

Interpretation Services:

- The following vendors have been identified for interpretation services:

Interpretation Vendors	Languages
Language Line, Inc.	All above languages
Global Lex (international center)	Varies, depending on staff available
Kentucky Interpreter and Translator Association	Varies, depending on staff available

Kentucky Refugee Ministries (if applicable)	Varies, depending on staff available
---	--------------------------------------

- Information regarding interpretation services can be obtained at: Information Center, Administrative Office, Airport Operations Office, The Club at Blue Grass, and WestLEX General Aviation Services.

Location for Interpretation Assistance	Languages
Airport information desks	All above languages, using Language Line, Inc.
WestLEX information desks	All above languages, using Language Line, Inc.
Airport public safety staff	All above languages, using Language Line, Inc.

Description of Interpretation Assistance Processes

The airport contracts with the Language Line, Inc. to provide on-demand telephone interpretation services to airport guests. When a request for an interpreter is received, the following process is used: Guest Services and/or Operations staff contacts Language Line, Inc. and “parks” the request in the queue for the appropriate language. Language Line, Inc. operators will coordinate and connect the requesting party to an interpreter for the duration of the call. Calls submitted to Language Line will be tracked by the Guest Services Supervisor via the monthly invoices and will remain in our tracking system for one year. Detailed information and a video on how to use Language Line is provided in the Guest Services training manual and is also on file with the airport receptionist & operations team.

9. Transportation

49 Part CFR 21 Appendix C (a)(1)(ix)

In the Community Statistics section of this plan, we identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified below. Other minority and disadvantaged community areas that are near the airport but not within Affected Communities are also identified below.

We have coordinated with LexTran, the official transit authority of Lexington, to encourage them to provide transit service access between the airport and these areas.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

Minority and/or Disadvantaged Community Areas	Transit Service	Planned or Existing
LexTran (local bus authority)	Fixed-route buses	Existing

UK Shuttle (School breaks)]	School shuttle buses for breaks	Existing
-----------------------------	---------------------------------	----------

10. Minority Businesses
49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

Airport Business Opportunity	Minority Business Outreach Methods
Construction	Advertised through local and industry publications, airport website and minority program outreach.
Concessions	Advertised through local and industry publications, airport website and minority program conference/outreach.

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions is kept with the appropriate department files in the Airport Administration offices.

11. Training

All badge training includes slides focused on Title VI training. Topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaints must be forwarded to the Coordinator
- Protections against retaliation for filing civil rights complaints or related actions
- Title VI notices must be displayed throughout the airport public facilities
- All contracts must include Title VI clauses
- Language interpretation and translation services
- Cultural and community relations sensitivity training
- Anti-harassment training

Refresher information is provided every badge renewal period.

12. Compliance Reviews, Audits, Complaints, Lawsuits, and Other Investigations

FAA Notification. The Coordinator will notify FAA of any pending investigations and reviews, including:

- Compliance reviews or audits concerning civil rights requirements¹²
- Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements¹³

As discussed in the Title VI Complaints Section, Title VI complaints must be forwarded to FAA contacts within 15 days of receipt. For all other civil rights investigations, the Board must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Coordinator will provide FAA contacts with status updates for the investigations and reviews, until completed. For each existing investigation or review completed within 5 years of this plan, the Coordinator will also provide a statement about the outcome, unless previously provided.

13. Title VI Complaints

49 CFR 21.11; 49 CFR 21 Appendix C (b)(3); 28 CFR 42.406(d)

Scope. These procedures are for complaints of discrimination under Title VI and related laws (hereafter “Title VI Complaints.” In order to be a Title VI Complaint, the complaint must:

1. Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age or violations administrative requirements under Title VI or related laws.
2. Not only be for employment matters¹⁴
3. Allege misconduct by the Board, including airport employees, contractors, concessionaires, lessees, or tenants.
4. Concern an airport facility or actions by the Board including airport employees, contractors, concessionaires, lessees, or tenants.

¹² Includes any Title VI, ADA, Sec. 504, Title VII/EEO, or other civil rights program compliance review or audit to be performed on the airport sponsor or any of its sub-recipients by any State, local or Federal agency.

¹³ Includes allegations of discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, whether because of actions of the airport sponsor itself, or its employees, contractors, or tenants. Includes noncompliance with related administrative requirements under civil rights laws.

¹⁴ Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport sponsor employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

Rights. Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age has the right to file a complaint with the Board.¹⁵ Alternatively, they can file a formal complaint with an outside agency, such as the U.S. Departments of Justice or Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies.

Receipt of Complaint. The Coordinator will log in the complaint and promptly send copies of the complaint to the Airport President & CEO, the Vice President of Finance & Administration, and the company/department named in the complaint.

Complaints must be filed within **180** days of the discriminatory event, must be in writing, and must be delivered to:

Tiffany Carter, Executive Support Services Specialist
4000 Terminal Drive, Suite 206
Lexington, KY 40510
859.425.3106; tcarter@bluegrassairport.com

If a complaint is initially made by phone, it must be supplemented with a written complaint before 180 days after the discriminatory event has passed. If a verbal complaint is received, the complainant should be given a copy of the Airport Discrimination Complaint Procedures and instructed to submit a written complaint. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

Initial Procedure. The Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible in lieu of an investigation. If successfully resolved, the Coordinator will issue a closure letter to the complainant, record the disposition in the complaints log, and report the resolution to FAA.

Discrimination Complaint Referral Procedure

Internal Complaint Referral. All Title VI complaints must be promptly forwarded to the Coordinator within seven days.

Initial FAA Notification. A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Coordinator was notified). The Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter, and the results thereof to the FAA Civil Rights staff. (Note: complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will upload it to the FAA Civil Rights Connect System, which issues automated notifications to FAA staff. The Coordinator will also seek technical assistance from the FAA, as needed, throughout complaint intake, investigation and resolution process.

¹⁵

Investigation Procedure

Assignment of Investigator. The Coordinator will immediately begin the investigation or designate an investigator.

Cooperation with FAA. The Coordinator will promptly investigate all Title VI complaints, including those referred by the FAA for investigation. If the FAA is investigating a complaint against the Board, the Coordinator will avoid interfering with the FAA investigation, cooperate with the FAA when needed, and share factual information with the FAA.

Prompt Investigation. The Coordinator will make every effort to complete discrimination complaint investigations within 60 calendar days after the complaint is received. Some investigations may take longer with a justification for the delay and assurance that the investigation is being completed as quickly as possible.

Contact with Complainant. The Coordinator will meet with the complainant to clarify the issues and obtain additional information, and also speak with community members and potential witnesses, as appropriate.

Investigation Report. After completing the investigation, the Coordinator will prepare a written report.

Consultation with Legal Counsel. In each case, the Coordinator will consult with Legal Counsel regarding the investigation and the report. Airport Legal Counsel will ensure that the report is consistent with the DOT and FAA Title VI nondiscrimination requirements.

Prompt Resolution of Disputes. The Coordinator will emphasize voluntary compliance and quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through conversations with all parties involved. Depending upon the situation the Board may consider additional options such as negotiation or other methods to resolve the dispute.

Forwarding Report and Response to Complainant. At the completion of the investigation, the complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state the Board's conclusion regarding whether unlawful discrimination occurred, and will describe the complainant's appeal rights. A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via the FAA Civil Rights Connect System].

Appeal Rights. The complainant must be notified of their right to appeal the findings or determinations, and of the procedures and requirements for an appeal:

- The complainant may appeal in writing to the Airport President & CEO.
- The written appeal must be received within 10 business days after receipt of the written decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.

- The Airport President & CEO will issue a final written decision in response to the appeal.

Avoiding Future Discrimination. In addition to taking action with respect to any specific instances of discrimination, the Board will identify and implement measures to reduce the chances of similar discrimination in the future.

Intimidation and Retaliation Prohibited. Board employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

For information on filing a complaint with the DOT/FAA, please contact the Board’s Title VI Coordinator, Tiffany Carter.

This complaint procedure is shared with the public through the following methods:

Website, In-person, and Other Distribution Methods

Airport website, Title VI page at www.bluegrassairport.com/nondiscrimination

Posters in airport terminal, fixed-base operator terminal and WestLEX General Aviation

Airport Administrative Office at 4000 Terminal Drive (main terminal building)