



CAPITAL SOUTHEAST CONNECTOR JPA PROCEDURES FOR PROCESSING TITLE VI COMPLAINTS

In accordance with the requirements of 23 CFR 200.9(b)(3) the Connector JPA has developed the following procedures for prompt processing and disposition of Title VI complaints received by the agency.

Discrimination Complaint Procedure for the Connector JPA

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any Connector JPA program or activity. This prohibition applies to all the Connector JPA, its contractors, consultants, and anyone else who acts on behalf of the Connector JPA.

Any person who believes they have been discriminated against based on race, color, or national origin by the Connector JPA or a sub-recipient may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The Office of Civil Rights (OCR) processes complaints received no more than 180 days after the alleged incident. OCR will only process complaints that are complete, which include the complainant's contact information, details of the alleged discrimination, and the complainant's signature.

Once the Title VI complaint is received, OCR will determine which federal administering agency has jurisdiction to investigate/process the complaint.

Title VI Complaints Processed Under the Federal Highway Administration (FHWA):

Title VI complaints filed with Caltrans in which Caltrans is named as the Respondent will be forwarded to the FHWA Division Office. The Complainant will receive an acknowledgement letter informing them that the complaint has been received and forwarded to the FHWA.

Per the FHWA Guidance Memorandum, *Processing of Title VI Complaints*, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to FHWA Division Office. Complaints should be sent within one business day of receipt via email to Title.VI@dot.ca.gov. If Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.



Title VI Complaints Processed Under the Federal Transit Administration (FTA):

Title VI complaints filed with Caltrans in which Caltrans is named as the Respondent will be investigated by Caltrans. Per FTA, Title VI complaints are to be handled at the local level or elevated to FTA under egregious Title VI discriminatory circumstances. The Complainant will receive an acknowledgement letter informing them that the complaint has been received and whether the complaint will be investigated by Caltrans or forwarded to FTA.

Title VI complaints filed with Caltrans against a sub-recipient will be investigated by Caltrans. If the complaint is filed with the sub-recipient, the sub-recipient is responsible for investigating the complaint in accordance with FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

FTA – Filing a Local Complaint

FTA recommends, but does not require, that individuals first file a complaint directly with the Connector JPA to give the Connector JPA an opportunity to resolve the situation. FTA grantees are required under the ADA, Title VI, and EEO to have local complaint procedures.

Caltrans OCR Investigation Process

If OCR is delegated the responsibility of performing an investigation, OCR has 90 days to investigate the complaint. If additional time is needed, OCR will call the Complainant and inform them. If more information is needed to resolve the case, the OCR investigator may contact the Complainant. The Complainant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the Complainant or does not receive the additional information within ten business days, OCR can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

OCR will consult with HCR regarding the disposition of the complaint. Disposition of Title VI complaint will be undertaken by HCR, through either (1) *informal resolution* or (2) *issuance of a Letter of Finding of compliance or noncompliance with Title VI*. A copy of the Letter of Finding will be sent to all parties via the Division Office.

A person may also file a complaint directly with:

Federal Transit Administration Civil Rights Division Attention:
Complaint Team East Building, 5th Floor – TCR 1200
New Jersey Avenue, SE Washington, DC 20590



Federal Highway Administration U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE 8th Floor E81-1058
Washington, DC 20590

California Department of Transportation Office of Civil Rights Attention:
Title VI Branch
PO Box 942874, MS 79, Sacramento, CA Title.VI@dot.ca.gov

The Connector JPA's Title VI Coordinator will only process complaints that are complete and include the following information:

- Complainant's contact information.
- Date(s) of alleged discriminatory act(s)
- Details of alleged discrimination
- Identification of the party responsible for the alleged discrimination.
- Basis of the complaint (e.g. race, color, or national origin)
- Signature of the complainant or complainant's representative

Per the FHWA Guidance Memorandum, Processing of Title VI Complaints, dated June 13, 2018 all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to FHWA Division Office. Complaints should be sent within one business day of receipt via email to Title.VI@dot.ca.gov. If Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.

Caltrans Office of Civil Rights (OCR) Investigation Process:

If OCR is delegated the responsibility of performing an investigation, OCR has 90 days to investigate the complaint. If additional time is needed, OCR will call the Complainant and inform them. If more information is needed to resolve the case, the OCR investigator may contact the Complainant. The Complainant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case.

If the investigator is not contacted by the Complainant or does not receive the additional information within ten business days, OCR can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.



OCR will consult with HCR regarding the disposition of the complaint. Disposition of Title VI complaint will be undertaken by HCR, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to all parties via the Division Office.

Title VI Complaints Processed Under the Federal Transit Administration (FTA):

Per FTA, Title VI complaints are to be handled at the local level or elevated to FTA under egregious Title VI discriminatory circumstances. The Complainant will receive an acknowledgement letter informing them that the complaint has been received and whether the complaint will be investigated by Caltrans or forwarded to FTA.