

Title VI Complaint Procedures

For the Rural Transportation Planning Program

The Appalachian Council of Governments



March 2016

The purpose of the discrimination complaint procedures is to describe the process used by the Office of Human Resources (OHR) for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

I. FILING A COMPLAINT

A. Introduction

The Title VI/Environmental Justice and Related Statutes complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding ACOG's programs, activities and services as required by statute.

B. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the Office of Human Resources (OHR) for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

C. Roles and Responsibilities

The ACOG Title VI Officer has overall responsibility for the discrimination complaint process and procedures. The Title VI Officer will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon the information obtained from the investigation.

In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

The complainant shall make themselves reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

D. Filing Complaints

Applicability: The complaint procedures apply to the beneficiaries of ACOG programs, activities and services including, but not limited to, the public, contractors, subcontractors, consultants and other sub-recipients of federal and state funds.

Eligibility: Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by Civil Rights authorities may file a complaint. The complaint:

- Must be based upon race, color, sex, age, national origin, or disability;
- Must be reduced to writing; and
- Must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.

This plan requires that SCDOT be immediately notified of any complaint or allegation of discrimination. Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation meeting(s) between the affected parties and the investigator may be utilized for resolution, at any stage of the process.

Time Limitation and Filing Options: Title VI/EJ complaints of discrimination may be filed with:

- ACOG
- South Carolina Department of Transportation
- Federal Highway Administration
- U.S. Department of Transportation

Complaints must be filed no later than 180 calendar days after:

- The date of the alleged act of discrimination; or
- The date the person became aware of the alleged discrimination; or
- Where there has been a continuing course of discriminatory conduct, the date on which the conduct was discontinued.

Receipt and Acceptance: When any element of the Appalachian Council of Governments Rural Transportation Program receives an inquiry, comment or complaint which alleges or implies discrimination as addressed by Title VI of the Civil Rights Act of 1964 and its progeny, it will be logged in and immediately forwarded to the SCDOT's Office of Business Development and Special Programs.

The Title VI Officer will respond within ten (10) calendar days from date of receipt, advising receipt of the complaint and that the matter was forwarded to SCDOT for further processing. The Officer's letter will also contain the appropriate SCDOT contact information.

The ACOG will fully cooperate with the appropriate agency throughout the entire investigative process.

Complaints must be in writing and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event a person makes a verbal complaint of discrimination to an ACOG employee, or other person authorized to receive complaints on behalf of the ACOG, shall interview the person. If necessary, the authorized person will assist the person in writing the complaint for the person or the person's representative to sign.