

TITLE VI COMPLAINT PROCEDURES

REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM.

In order to comply with the reporting requirements established in 49CFR Section 21.9(b), *Appalachian Parent Association, Inc./Appalachian Crossroads* shall develop procedures for investigating and tracking Title VI complaints filed against us and will make this procedures for filing a complaint available to members of the public. *Appalachian Parent Association, Inc./Appalachian Crossroads* has also developed a Title VI complaint form. The form and procedure for filing a complaint are available on the *Appalachian Parent Association, Inc./Appalachian Crossroads* website and at their facilities.

Any individual may exercise his or her right to file a complaint with **Appalachian Parent Association, Inc./Appalachian Crossroads** if that person believes that he or she have been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to MDOT MTA within three business days (per MDOT MTA requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to MDOT MTA.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

Appalachian Parent Association, Inc./Appalachian Crossroads includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

Appalachian Parent Association, Inc./Appalachian Crossroads is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Appalachian Parent Association, Inc./Appalachian Crossroads' nondiscrimination policies and procedures, or to file a complaint, please visit the website at Appalachian Crossroads.com or contact Shannon Wolf, Administrative Assistant/Title VI Coordinator, 39 S. Third St., Oakland, MD 21550

A copy of [Name of Agency's] Title VI Complaint Form is attached as APPENDIX B and a sample the subrecipient may use is provided below.

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Instructions for filing Title VI complaints are posted on the agency's website and provided below. Should any Title VI investigations be initiated by FTA or MDOT MTA, or should any Title VI lawsuits be filed against **Appalachian Parent Association, Inc./Appalachian Crossroads**, the agency will follow these procedures:

Procedures

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager.

The complaint is to be filed in the following manner:

- a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint should include:
 - complainant's name, address, and contact information (i.e., telephone number, email address, etc.)
 - date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance)
 - description of the alleged act of discrimination
 - location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, or national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to MDOT MTA or FTA?)
 - c. The complaint shall be submitted to the Title VI Manager at 39 S. Third St., Oakland, MD 21550 **and/or** swolf@appalachiancrossroads.com.
 - d. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify MDOT MTA (no later than 3 business days from receipt)
 - b. notify **Appalachian Parent Association, Inc./Appalachian Crossroads** Authorizing Official
 - c. ensure that the complaint is entered in the complaint database.
 3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
 4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
 5. If MDOT MTA has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.

6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint.
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
10. The Title VI Manager will contact the complainant at the conclusion of the investigation (but prior to writing the final report) and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, the MDOT MTA, and if appropriate our legal counsel.
12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to MDOT MTA in the event the complainant wishes to appeal the determination. This letter will be copied to MDOT MTA.
13. A complaint may be dismissed for the following reasons:
 - a. the complainant requests the withdrawal of the complaint
 - b. an interview cannot be scheduled with the complainant after reasonable attempts
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint