

I. Title VI Complaint Processing Procedures

Overview

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

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

Procedures

Any person who, based on race, religion, color, national origin, sex, age, or disability believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by Dallas County or its sub-recipients, consultants and contractors may bring forth a discrimination complaint under Title VI. Only complaints based on the complainant's protected status will be considered under Title VI. The complainant may file a signed, written complaint up to **180 calendar days** from the date of the alleged act of discrimination or the date the person(s) became aware of the alleged act(s) of discrimination. The County may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. In cases where the complainant is unable or incapable of providing a written statement, the complainant shall be interviewed and 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 must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. The complaint should include the following information:

- Complainant name, mailing address, and a method of contact (i.e., telephone number, email address, etc.);
- How, when, where and why the alleged discrimination occurred. Include the location, names and contact information of any witnesses; and
- Other information that the complainant deems significant.

Items that would not be considered a formal complaint (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

- An anonymous complaint that is too vague to obtain required information,
- Inquiries seeking advice or information,
- Courtesy copies of court pleadings,
- Courtesy copies of internal grievances.

The Title VI complaint form (Attachments F(1)-(2)) may be used to submit the complaint information. Complaint forms can also be obtained at the Dallas County Human Resources Office or online at http://www.dallascounty.org/department/HR/title_vi.html.

To request additional information on Dallas County's nondiscrimination obligations, to file a Title VI Complaint, or to request a complaint form, please submit a written request or complaint to:

Dallas County Human Resources
Dallas County Director of Human Resources and Title VI Coordinator
500 Elm Street, Suite #4100
Dallas, Texas 75202
(214) 653-7638 (phone)
(214) 751-5716 (fax)

Complaint Process

The Dallas County Title VI Coordinator will acknowledge receipt of the complaint, and begin an investigation, and within ten (10) working days of receipt of a complaint alleging discrimination based on race, color, national origin, sex, age or disability. (Attachment F(3), summary of process). The Title VI Coordinator shall also provide appropriate assistance to complainants, including those persons with disabilities, or who may be limited in their ability to communicate in English.

Transportation related discrimination complaints filed under Title VI with Dallas County in which the County or its sub-recipients are named as the respondent shall be forward to TxDOT for investigation within 10 calendar days of receipt of the complaint.

In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the Title VI Coordinator. The Title VI Coordinator will interview the complainant and if necessary assist the person in converting a verbal complaint to writing. All complaints must, however, be signed by the complainant or his/her representative. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.

The Title VI Coordinator shall make every effort to address all complaints in an expeditious and thorough manner. The Title VI Coordinator will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. The Complaint will be copied, filed and logged. If the complainant fails to provide the requested information in a timely basis, Title VI Coordinator may administratively close the complaint.

The Title VI Coordinator will complete the investigation within sixty (60) calendar days of receipt of a complaint. If additional time is needed for investigation, the complainant will be notified. A written investigation report will be prepared by the Title VI Coordinator. This report

shall include a summary description of the incident, findings for each issue, and recommended corrective action, if any. The written investigation report will be provided to the District Attorney's Civil Division for review prior to distribution.

The investigation and recommended decision will be forwarded to the state agency (if sub-recipient) or federal agency (if recipient) for the program or activity involved. If the investigator is unsure which agency to send the investigation, it should be sent to:

U.S. Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section, NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
1-888-848-5306

Disposition of Complaint

A final written response letter will be provided to the complainant and the department for the program involved within 10 calendar days of completing the investigation. In the letter notifying complainant that the complaint is not substantiated, the complainant is also advised of his or her right to appeal with the County Administrator within five (5) working days from receipt of the closing letter or that they may file a complaint externally with the U.S. Department of Transportation or other applicable federal agency. If there is no appeal, the complaint will be closed. If required, the investigation report will be forwarded to the appropriate state or federal agency.

Complaint Logs

The Title VI Coordinator shall maintain a log of any external discrimination complaints or lawsuits filed naming Dallas County, which alleges discrimination with respect to Title VI concerns. (Attachment G). The log shall include information on each complainant to include:

- The identity of the complainant,
- The recipient,
- The race, color, sex or national origin of the complainant,
- The nature of the complaint,
- The dates the complaint was filed,
- A summary of the allegation,
- The date the investigation was completed,
- The disposition,
- The date of the disposition, including whether the parties to a lawsuit have entered into a consent decree; and
- Any other pertinent information (such as age or disability)

Roles and Responsibilities of the Department Head or Elected Official (under this Section)

All Title VI complaints must be forwarded to the Title VI Coordinator to investigate, regardless of whether the Department/elected official is required to conduct a separate investigation. The Title VI Coordinator's investigation does not supplant any other statutory obligation to investigate. The Department head and elected official must:

- Post the Title VI Complaint Procedure and Complaint Form (Attachment F1-2) in a conspicuous location in their building or department, whereby the public and employees have access to the information;
- Refer any Title VI Complaint to the Title VI Coordinator within 48 hours of receipt;
- Maintain a log of Title VI Complaints received (Attachment G) and forward the log of Title VI Complaints to the Title VI Coordinator by the **1st of each month**.

Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the Dallas County Title VI Plan and LEP Plan, copies of the Title VI complaints or lawsuits and related documentation, compliance records, and records of correspondence to and from complainants, and Title VI investigations. The records shall be maintained for a period of ten years or pursuant to the requirements of the Texas Library Archives Records Retention Schedules, whichever is longer.