

Title VI Complaint Procedure

Receiving and Documenting Complaints

Complaints via Phone Call, Email/Website or in Person: When a member of the public contacts VABVI and states that s/he wishes to file a Title VI complaint, the person will be directly referred to the Title VI officer who will document the complaint using the Complaint Form (attached). Should the Title VI officer be unavailable, the staff member assisting the complainant shall complete the Complaint Form and forward to the Title VI Officer. The Title VI Officer shall contact the complainant within five business days of receiving the complaint.

In the event that an individual calls in a complaint but does not specifically state that s/he wishes to file a Title VI complaint, the staff member taking the complaint shall follow the normal (non-Title VI) complaint documentation procedures. If the complaint **may** involve Title VI, the staff member taking the complaint shall forward the person's contact information and the complaint form to the Title VI officer.

Interim Title VI Officer: If the Title VI officer will be out of the office longer than five business days, an interim Title VI officer shall be selected and he/she shall be forwarded the Title VI complaint phone calls and emails until the permanent Title VI officer returns.

Using the Complaint Form (see below)

1. The Complaint Form is used for all complaints and is initiated by the staff member receiving the complaint or the Title VI officer as described above.
2. Essential information on the form includes the following:
 - a. Date of the incident that is the subject of the complaint
 - b. Time of the incident
 - c. Location of the incident
 - d. Circumstances of the incident in as much detail as is available, including description of the issues, and the names and job titles of those individuals perceived as parties in the complaint.
3. The completed form, along with any other communication, will be submitted to the Executive Director. For complaints not deemed to be Title VI, the Executive Director will determine the jurisdiction and acceptability of complaint and any need for additional information. After any additional information is procured, the Executive Director will determine appropriate action.
4. All Title VI complaints and possible Title VI complaints will be sent to the Title VI officer for review and if necessary, investigation.
5. The Title VI complainant will be provided with written notification of VABVI's determination of whether the complaint falls under Title VI jurisdiction. If the complaint is not Title VI, standard complaint procedure will be followed.
6. A complaint may be rejected for the following reasons:
 - a. More than 180 days passed between the alleged incident and the filing of the initial complaint.

- b. The allegation does not involve a basis covered under Title VI, such as race, color, or national origin.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - d. The complainant cannot be located after reasonable attempts.
7. A complaint determined to be Title VI will be assigned a case number and be logged in a database maintained by the Title VI Officer identifying the complainant's name, date of incident, alleged harm, and the race, color, or national origin of the complainant.
8. The Title VI officer will initiate an investigation of the complaint, assisted by other members of VABVI staff as necessary, and complete a report within 90 days of the Title VI determination. The report shall include a description of the incident, identification of those interviewed, findings, and recommendations for disposition.
9. The Title VI Officer will refer the report to VABVI's legal counsel, if deemed appropriate. The Title VI Officer will accept or reject the recommendation for disposition, in consultation with legal counsel, and if the individuals involved are found to be in noncompliance with Title VI, remedial actions will be determined.
10. The results of the investigation and the determination will be mailed to the complainant. Notice shall include information regarding appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

- a. The first level of appeal is to the Executive Director of VABVI. Complainant will be advised to contact:

VABVI
60 Kimball Ave
South Burlington, VT 05403
(800) 639-5861 ext 224

- b. If the complainant is still dissatisfied with the determination and/or resolution set forth by VABVI, the result may be appealed to VTrans. Complainant will be advised to contact:

Vermont Agency of Transportation
Office of Civil Rights & Labor Compliance
219 North Main Street
Barre, VT 05641

Appeals may also be submitted by telephone or fax. Contact numbers are as follows:

Phone: (802) 595-6959
Fax: (802) 479-5506

- c. If the complainant is dissatisfied with the determination and/or resolution set forth by VTrans, the same complaint may be submitted to FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, Transportation Center, Kendall Square, 55 Broadway, Suite 920, Cambridge, MA 02142-1093.

11. A copy of the complaint and VABVI's investigation report, letter of finding and remedial action plan will be submitted to VTrans within 120 days of the initial receipt of the complaint.

Enter the Complaint into the VABVI Title VI Complaint and Lawsuit Log

Any Title VI complaint received by VABVI shall be entered into the VABVI Title VI Complaint and Lawsuit Log. The following information must be included in the log:

- Date the complaint was filed
- A summary of the allegations
- The status of the investigation
- Actions taken by the recipient in response