

Alamo Area MPO

Title VI Discrimination Procedure

Introduction

The Alamo Area Metropolitan Planning Organization (MPO) serves as the federally designated Metropolitan Planning Organization (MPO) for the Bexar County, Comal, Guadalupe and portion of Kendall County region. As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, the MPO ensures that no person shall, on the grounds of race, religion, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency programs or activities.

These prohibitions extend from the MPO, as a direct recipient of federal financial assistance, to its sub-recipients (e.g., contractors, consultants, local governments, etc). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

This policy establishes a procedure under which complaints alleging discrimination in the MPO's provisions, services, or MPO activities can be made by persons who are not employees of the MPO.

Any person who believes the MPO, or any entity who receives federal financial assistance from or through the MPO (i.e., sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination.

The MPO will follow timelines set forth in guidance from the Department of Transportation, the Federal Highway Administration, Federal Transit Administration, the Department of Justice and the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for processing Title VI discrimination complaints.

When to File

A complaint of discrimination must be filed within 180 calendar days of the alleged act of Discrimination, or discovery thereof; or where there has been a continuing course of conduct, the date on which that conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day you complete, sign, and mail the complaint form. The complaint form and consent/release form must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed

and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.

Where to File

In order to be processed, signed original complaint forms must be mailed or hand delivered to:

Alamo Area MPO
Planning and Public Involvement Program Manager
825 S. Saint Mary's St.
San Antonio, Texas 78205

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited-English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

Persons who are not satisfied with the findings of the MPO may seek remedy from other applicable federal agencies.

Required Elements of a Complaint

In order to be processed, a complaint must be in writing and contain the following information:

- Name, address, and phone number of the complainant
- Name(s) and address(es) and business(es)/organization(s) of person(s) who allegedly discriminated
- Date of alleged discriminatory act(s)
- Basis of complaint (i.e., race, color, national origin, sex, age, religion, or disability)
- A statement of complaint
- A signed consent release form

Incomplete Complaints

Upon initial review of the complaint, the Public Involvement Coordinator will ensure that the form is complete and that any initial supporting documentation is provided. Should any deficiencies be found, the Public Involvement Coordinator will notify the complainant within 10 working days. If reasonable efforts to reach the complainant are unsuccessful or if the complainant does not respond within the time specified in the request (30 days), the recipient may close the complainant's file. The complainant may resubmit the complaint provided it is filed within the original 180-day period.

Should the complaint be closed due to lack of required information, MPO will notify the complainant at their last known address. In the event the complainant submits the missing information after the file has been closed, the complaint may be

reopened provided it has not been more than 180 days since the date of the alleged discriminatory action.

Records of Complaints

The Public Involvement Coordinator will keep a record of all complaints received.

The log will include such information as:

- Basic information about the complaint such as to when it was filed, who filed it, and who it was against.
- A description of the alleged discriminatory action.
- Findings of the MPO's investigation

Complaint Process Overview

The following is a description of how a discrimination complaint will be handled once received by the MPO:

1. A complaint is received by the MPO:

Complaints must be in writing and signed by the complainant or their designated representative. If the complainant is unable to complete the form in writing due to disability or limited-English proficiency, reasonable accommodations will be made upon request to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint that do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

2. Complaint is logged into tracking database:

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

3. Determine jurisdiction:

MPO's Public Involvement Coordinator will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets basic criteria. Criteria required for a complete complaint:

- Basis of alleged discrimination (i.e., race, religion, color, national origin, sex, age or disability)
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180 day time requirement

4. Initial written notice to complainant:

Within 10 working days of the receipt of the complaint, MPO will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a MPO program or activity, or does not meet deadline requirements.

Conclusions made in step three will determine the appropriate response to the complaint. A copy of the written response, as well as the complaint form, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for informational purposes only.

5. Investigation of complaint:

The Planning and Public Involvement Program Manager will confer with the MPO Director to determine the most appropriate fact finding process to ensure that all available information is collected in an effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination.

6. Determination of investigation:

An investigation will be completed within 60 days of receiving the complete complaint, unless the facts and circumstances warrant otherwise. If the investigation takes longer than 60 days, the complainant will be notified of the reasons for the delay. A determination will be made based on information obtained. The Planning and Public Involvement Program Manager will render a recommendation for action, including formal and/or informal resolution strategies in a report of findings to the MPO Director.

7. Notification of determination:

Within 10 days of completion of an investigation, the complainant must be notified by the MPO Director of the final decision. The notification will advise the complainant of his/her appeal rights with federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section for informational purposes only.

Alamo Area Metropolitan Planning Organization
Discrimination Complaint Form Instructions

The Alamo Area Metropolitan Planning Organization (MPO) serves as the federally designated Metropolitan Planning Organization (MPO) for the Bexar County, Comal, Guadalupe and portion of Kendall County region

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These prohibitions extend from the MPO, as a direct recipient of federal financial assistance, to its sub- recipients (e.g., contractors, consultants, local governments, colleges, universities, etc.). All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements.

The MPO is required to implement measures to ensure that persons with limited-English proficiency (LEP) or disability have meaningful access to the services, benefits and information of all its programs and activities under Executive Order 13166. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints may be filed using an alternative format if you are unable to complete the written form.

The filing date is the day you complete, sign, and mail this complaint form. Your complaint must be filed no later than 180 calendar days from the most recent date of the alleged act of discrimination. The complaint form and consent/release form must be dated and signed for acceptance. You have 30 calendar days to respond to any written request for information. Failure to do so will result in the closure of the complaint.

Submit the forms by mail or in person to:

Alamo Area MPO
Planning and Public Involvement
Program Manager
825 S. St. Mary's Street
San Antonio, Texas 78205

If you have any questions or need additional information, please call 210-227-8651 or e-mail aampo@alamoareapmo.org

Alamo Area Metropolitan Planning Organization
Discrimination Complaint Form

First Name

MI

Last Name

Street Address

City

State

Zip Code

Telephone Number

e-mail Address

1. Who do you believe discriminated against you?

First Name

MI

Last Name

Name of Business/Organization

Position/Title

Street Address

City

State

Zip Code

2. When did the alleged act(s) of discrimination occur?

Please list all applicable dates in mm/dd/yyyy format.

Date(s): _____

Is the alleged discrimination ongoing? Yes No

3. Where and how did the alleged act(s) of discrimination occur? (Attach additional pages as necessary.)

Name of Location

4. Indicate the basis of your grievance of alleged discrimination.

Race: _____ National Origin: _____ Age: _____ Color: _____

Sex: _____ Disability: _____ Religion: _____

Signature

Date

Alamo Area Metropolitan Planning Organization (MPO)
Discrimination Complaint Release Form

First Name

MI

Last Name

Street Address

City

State

Zip Code

As a complainant, I understand that in the course of an investigation it may become necessary for the MPO to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the MPO to honor requests under the Freedom of Information Act. I understand that as a complainant I am protected from retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statues and regulations which are enforced by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

Please check one:

- I CONSENT** and authorize the Alamo Area Metropolitan Planning Organization (MPO), as part of its investigation, to reveal my identity to persons at the organization, business, or institution, which has been identified by me in my formal complaint of discrimination. I also authorize the MPO to discuss, receive and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release and do so voluntarily.
- I DENY CONSENT** to have the Alamo Area Metropolitan Planning Organization (MPO), reveal my identity to persons at the organization, business, or institution under investigation. I also deny consent to have the MPO disclose any information contained in the complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing the MPO to discuss, receive, nor review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

Signature

Date