

## **Title VI Discrimination Complaint Procedures**

Title VI, Environmental Justice, and other subsequent laws prohibit discrimination based on race, color, national origin, handicap, sex, age, income-status and limited-English-speaking proficiency. As a federally-funded agency, the Thomas Jefferson Planning District Commission and Charlottesville-Albemarle MPO developed a method for receiving and handling such complaints should they be made. The complaint procedures are outlined as follows:

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes, may file a written complaint. This complaint must be submitted using the Title VI form available on the TJPDC website (<https://tjpd.org>), and included as an appendix to this document. All written complaints received by the TJPDC shall be referred immediately by the TJPDC's Title VI Manager, to VDOT's Civil Rights Division.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after the date of the alleged act of discrimination. In this case, the TJPDC or his/her designee 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 shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the TJPDC, the person shall be assisted by the Title VI Manager. If necessary, the Title VI Manager will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.

Within 10 days of the TJPDC receiving the allegation in writing, the Title VI Manager will inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA).

Within 10 days, a copy of the complaint will be sent to the VDOT Central Office, Civil Rights Division, and a copy to the FHWA Virginia Division Office. The documents forwarded will list the names of the parties involved, the basis of the complaint, and the TJPDC Title VI Manager's contact information.

In the case of a complaint against the TJPDC, a VDOT investigator will prepare a final investigative report and send it to the complainant, TJPDC Title VI Manager, and FHWA Virginia Division.

Generally, the following information will be included in every notification to the VDOT Office of Civil Rights:

- Name, address, and phone number of the complainant.
- Name(s) and address (es) of alleged discriminating official(s).
- Basis of complaint (i.e., race, color, national origin, sex, age, handicap/disability, income status, limited English proficiency).
- Date of alleged discriminatory act(s).
- Date of complaint received by the TJPDC
- A statement of the complaint.
- Other agencies (state, local or federal) where the complaint has been filed
- An explanation of the actions the TJPDC has taken or proposed to resolve the issue raised in the complaint

Within 60 days, the TJPDC Title VI Manager will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation

for action in a report of findings to the Executive Director of the TJPDC. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the TJPDC Title VI Manager will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the Virginia Department of Transportation or the Federal Highway Administration, if they are dissatisfied with the final decision rendered by the TJPDC. The TJPDC will also provide the VDOT Civil Rights Central Office with a copy of the determination and report findings.

In the case a nondiscrimination complaint that was originated at the TJPDC is turned over to and investigated by VDOT, FHWA or another agency, the TJPDC will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and VDOT policies and procedures.

In accordance with federal law, the TJPDC will require that applicants of federal assistance notify the TJPDC of any law suits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.

The TJPDC will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and VDOT's established procedures and guidelines.

Pursuant to the Virginia Public Records Act (VPRA) § 42.1-76 et seq., the TJPDC will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the TJPDC.

Records of complaints and related data will be made available by request in accordance with the Virginia Freedom of Information Act.

# Title VI Discrimination Complaint Form



Use this form if you have a complaint alleging discrimination under Title VI of the Civil Rights Act of 1964 against the Thomas Jefferson Planning District Commission, Charlottesville Albemarle Metropolitan Organization, or any of its programs, projects or sub-contractors.

Please provide the following information in order to process your Title VI complaint. Assistance is available upon request. You can reach our office Monday-Friday from 8:00am to 5:00pm at (434) 979-7310, or by email at [info@tjpd.org](mailto:info@tjpd.org).

Mail or deliver your completed and signed form to:

Thomas Jefferson Planning District Commission, Title VI Manager, 401 E Water Street, Charlottesville, VA 22902



Complainant Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_ (Cell): \_\_\_\_\_

Email: \_\_\_\_\_

Title VI Discrimination Complaint Form  
Thomas Jefferson Planning District Commission

If an authorized representative is filling out this complaint form on behalf of another person, his/her personal information must also be included:

Representative's Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to the complainant: \_\_\_\_\_

Please tell us why you believe the discrimination occurred: Race, Color, National Origin, or Other

Specify: \_\_\_\_\_

Date of incident resulting in discrimination: \_\_\_\_\_

Time of incident: \_\_\_\_\_

Location (address) of incident: \_\_\_\_\_

Describe how you were discriminated against. What happened and who was responsible? If additional space is required, please either use back of form or attach extra sheets to form. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Title VI Discrimination Complaint Form  
Thomas Jefferson Planning District Commission

What type of corrective action would you like to see taken? \_\_\_\_\_

---

---

If the incident involved a representative of the Thomas Jefferson Planning District Commission, its programs, or its consultants, please list his/her name: \_\_\_\_\_

---

Names and contact information of witnesses: \_\_\_\_\_

---

---

If your complaint is being filed on behalf of another group of people, all complainants must be identified by name: \_\_\_\_\_

---

---

---

Complainant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Authorized Representative Signature (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_