Title VI Policy and Complaint Procedures

1. INTRODUCTION  
1.1) Purpose

The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit discrimination on the basis of race, color or national origin in federally assisted programs. The intent of the law is to ensure that all persons, regardless of their race, color or national origin, are allowed to participate in these federally funded programs. The Triangular Processing, Inc. (TPI) has established the following procedures to provide monitoring of Title VI compliance activities and complaint processing in all TPI programs.

1.2) Policy

TPI and its sub-recipients of federal funds will not:

1. Deny an individual service, or provide only inferior or discriminatory  
service, aid or benefits because of an individual’s race, color or national origin;

2. Subject a person to segregation or treat a person differently in regards to  
eligibility for and participation in services because of race, color or national  
origin;

3. Restrict or discourage individuals in their enjoyment of facilities because of  
race, color or national origin;

4. Discriminate in any way against an individual in any program or activity.

The TPI will publicize its Title VI policy statement. TPI will investigate Title VI complaints. TPI will refer any complaints that the TPI has violated Title VI on a Federal Highway Administration funded program to the Ohio Department of Transportation (ODOT).

1.3) Coordinator

TPI will appoint one or more Title VI Coordinators to implement and oversee its Title VI Policy and procedures.

2. COMPLAINT PROCEDURES

2.1) Required Time to File Complaint

To allow time to file first with TPI and then externally with an appropriate outside agency or court, as the complainant chooses, any complaint to TPI should be filed promptly and must be filed not later than one hundred eighty (180) calendar days after the alleged discrimination occurred. If the complainant is not satisfied with the findings or the proposed remedial action, the complainant may still file externally within any applicable statute of limitations.

If a complaint is filed within TPI and is filed externally during the same time, the external complaint supersedes the internal complaint filing. Accordingly the TPI complaint procedures will be suspended pending outcome of the external complaint.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

2.2) Step 1- Informal Meeting with Department Head

The complainant and/or the complainant’s representative are encouraged to initiate the process by meeting with the supervisor of the service or facility where the alleged discrimination took place. The complainant should provide the basis of the complaint (race, color, national origin) and the nature of the incident that led the complainant to feel that discrimination was a factor.

The supervisor shall immediately notify the Title VI Coordinator. The supervisor shall, within ten (10) workdays after receiving the complaint, reach a decision and communicate the decision to the complainant and the Title VI Coordinator.

Upon receipt of a complaint, the Title VI Coordinator will determine jurisdiction. Complaints against the TPI involving Federal Highway Administration funds will be forwarded to the appropriate State agency, the Ohio Department of Transportation, for proper disposition pursuant to its procedures.

2.3)  Step 2- Formal complaint to Title VI Coordinator

If the complaint is not resolved at Step 1, or if the complaint is not first brought to the supervisor, a written complaint shall be filed with the TPI Title VI Coordinator.

The complainant should submit his/her complaint to TPI in writing with the following information:

1. Name, address and telephone number of the complainant;

2. The location and name of the program delivering the service;

3. The nature of the incident that led to the complainant to feel that discrimination was a factor;

4. The basis of the complaint (race, color or national origin);

5. Names, addresses and phone numbers of people who may have knowledge of the event;

6. The date or dates on which the alleged discriminatory event or events  
occurred.

The Coordinator shall notify the supervisor of the formal complaint and initiate an investigation immediately. The supervisor shall provide assistance during this internal investigation as requested by the Coordinator.

The internal investigation shall be completed within twenty (20) workdays of receipt of the complaint, at which time the Coordinator will inform the complainant in writing of its disposition, including any findings of fact and any actions to be taken.

2.4) Disposition of Complaints

Sustained Complaints – If the complaint is substantiated, this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to TPI disciplinary procedures.

Unsustained Complaints – If there is insufficient evidence to either prove or disprove the allegation(s), both parties to the complaint will be informed of the reason(s) for this disposition.

Unfounded Complaint – If it is determined that an act reported pursuant to this policy/procedure did not in fact occur, a finding of “unfounded” shall be made.

Exonerated Complaints – If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of “exonerated” shall be made.

2.5) Review by Appeal

If the complainant is not satisfied with the resolution, an appeal process is available. An appeal request for review of a determination of unlawful denial of access or accommodation to services must be filed, in writing, within thirty (30) calendar days of the resolution of the complaint, with the Title VI Coordinator.

The written appeal must include the complainant’s name, address, and telephone contact number. A statement of reason(s) why the complainant believes the denial of the complaint was inappropriate is recommended.

The Title VI Coordinator will set a mutually agreed-upon time and place for the review process with the complainant–appellant and/or representatives and the Director or designee within thirty (30) days of the request. The complainant–appellant may submit documents or other information to be included with the record and considered in the review process. A record of the review will be kept by TPI.

A complainant’s right to a prompt and equitable resolution of the complaint will not be impaired by the complainant’s pursuit of other remedies. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

2.6) Complaint Log

The Coordinator will maintain a Title VI complaint log to show identifying information type, and status of each complaint filed, including those filed under Step 1 of this procedure. When any investigation is concluded, the Coordinator will keep a copy of the report on permanent file.

3. LIMITED ENGLISH PROFICIENCY POLICY

The TPI is committed to providing quality services to all, including those who do not speak English as their primary language, and who have a limited ability to read, speak, write, or understand English. These individuals may be considered Limited English Proficient, or “LEP,” and may be entitled to language assistance.

As a recipient of Federal Transportation Funding, the TPI must take reasonable steps to ensure meaningful access to its programs and activities by LEP persons. The U.S. Department of Transportation recommends analyzing the following four factors to determine the level and extent of language-assistance measures required within the grantee’s area of responsibility:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;

2. The frequency with which LEP individuals come in contact with the program;  
3. The nature and importance of the program, activity, or service provided by the program to people’s lives; and  
4. The resources available to the grantee/recipient or agency, and costs.

The intent of this policy is to find a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on TPI. Specific steps to be taken, in terms of translation or language interpretation, will depend on the situation at the time, from coordination with LEP individuals and the organizations that serve them and from analysis of the TPI’s existing resources and the costs of providing language assistance.

Reviewed April 14, 2022

**TITLE VI COMPLAINT FORM**

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| **Section I:** | | | | | | | | | | | |
| Name: | | | | | | | | | | | |
| Address: | | | | | | | | | | | |
| Telephone (Home): | | | | Telephone (Work): | | | | | | | |
| Electronic Mail Address: | | | | | | | | | | | |
| Accessible Format Requirements? | Large Print | |  | | | Audio Tape | | | | |  |
| TDD | |  | | | Other | | | | |  |
| **Section II:** | | | | | | | | | | | |
| Are you filing this complaint on your own behalf? | | | | | | | Yes\* | | No | | |
| \*If you answered "yes" to this question, go to Section III. | | | | | | | | | | | |
| If not, please supply the name and relationship of the person for whom you are complaining: | | | | | | |  | | | | |
| Please explain why you have filed for a third party: | | | | |  | | | | | | |
|  | |  |  | | |  | | | |  | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | | | | | | | Yes | | | No | |
| **Section III:** | | | | | | | | | | | |
| I believe the discrimination I experienced was based on (check all that apply):  [ ] Race [ ] Color [ ] National Origin  Date of Alleged Discrimination (Month, Day, Year): \_\_\_\_\_\_\_\_\_\_  Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | | | | | | | |
| **Section IV** | | | | | | | | | | | |
| Have you previously filed a Title VI complaint with this agency? | | | | | | | Yes | No | | | |
| **Section V** | | | | | | | | | | | |
| Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?  [ ] Yes [ ] No  If yes, check all that apply:  [ ] Federal Agency:  [ ] Federal Court [ ] State Agency  [ ] State Court [ ] Local Agency | | | | | | | | | | | |
| Please provide information about a contact person at the agency/court where the complaint was filed. | | | | | | | | | | | |
| Name: | | | | | | | | | | | |
| Title: | | | | | | | | | | | |
| Agency: | | | | | | | | | | | |
| Address: | | | | | | | | | | | |
| Telephone: | | | | | | | | | | | |
| **Section VI** | | | | | | | | | | | |
| Name of agency complaint is against: | | | | | | | | | | | |
| Contact person: | | | | | | | | | | | |
| Title: | | | | | | | | | | | |
| Telephone number: | | | | | | | | | | | |

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date

Please submit this form in person at the address below, or mail this form to:

TPI Title VI Coordinator

550 West Linfoot Street

Wauseon, Ohio 43567

Reviewed April 14, 2022