

SJCOG Title VI Complaint Procedures

Any person who feels he or she, as individuals, or as a member of any class of persons, on the basis of race, color, natural origin, or low-income status, has been excluded from or denied benefits of, or been subjected to discrimination under a program or activity receiving federal financial assistance through SJCOG, may file a written complaint with the SJCOG Deputy Director/Chief Finance Officer. Such complaint must be filed within sixty (60) days of the date the person believes the discrimination took place.

SJCOG will promptly investigate all signed, written complaints; complaints with incomplete information may result in delayed investigations and responses.

The following procedures will be followed to investigate formal Title VI complaints:

➤ **Referral to Review Officer**

Upon receipt of the Complaint, the Deputy Executive Director shall appoint one or more staff members, as appropriate, to evaluate and investigate the complaint, in consultation with SJCOG general counsel.

Staff shall complete its review no later than 45 calendar days after the date SJCOG received the complaint.

If more time is required, the Deputy Executive Director shall notify the complainant of the estimated time-frame for completing the review. Upon completion of the review, staff shall make a recommendation regarding the merit of the complaint and whether SJCOG should take remedial actions to provide redress.

Additionally, the staff review officer may recommend improvements to SJCOG's processes relative to Title VI and environmental justice. SJCOG staff shall forward its recommendations to the Deputy Executive Director for concurrence. If the Deputy Executive Director concurs, he shall issue SJCOG's written response to the complainant.

➤ **Request for Reconsideration**

If the complainant disagrees with the response, the complainant may request reconsideration by submitting the request, in writing, to the Executive Director, within 10 calendar days after its receipt.

The request for reconsideration shall be detailed to contain any items the complainant believes were not fully addressed by the Deputy Executive Director. The Executive Director shall notify the complainant of his decision either to accept or reject the request for reconsideration within 10 calendar days.

In cases where the Executive Director agrees to reconsider, the matter shall be returned to staff for re-evaluation. The re-evaluation will follow directions set in paragraph two, above.

➤ **Submission of complaint to the Federal Transit Administration**

If the complainant is dissatisfied with SJCOG's resolution of the complaint, they may also submit a complaint to directly to the Federal Transit Administration for investigation by contacting:

FTA Office of Civil Rights
ATTN: Title VI Program Coordinator
East Building, 5th Floor – TRC
1200 New Jersey Ave., SE
Washington, DC 20590
www.fta.dot.gov/civilrights/12328_5104.html

In accordance with Chapter IX, Complaints, of FTA Circular 4702. 1B, complaints must be submitted within 180 calendar days after the date of the alleged discrimination.