



CIVIL RIGHTS COMPLAINT PROCEDURES

Any person may exercise his or her right to file a complaint with the Coordinator if he or she believes that he or she has been subjected to unequal treatment or discrimination in receiving benefits or services. Complaints can be filed with the County, VDOT, DRPT, the FHWA Office for Civil Rights, or the FTA Office for Civil Rights. If the Complaint is filed with the County, the Coordinator will report the complaint to DRPT, VDOT, or other applicable agency within the required timeframe; thereafter, DRPT or VDOT will refer the complaint to the appropriate federal agency. The County will not investigate complaints filed against you; the County will follow the guidelines and directives of applicable state and federal agencies. All civil rights complaints and their resolution will be recorded and reported to DRPT, VDOT, or other agencies as needed. The County's Civil Rights Complaint Form is attached and located at the end of this document, on the County's website, located at Appendix G of the Title VI Implementation plan, and is included in the Title II-ADA Complaint Procedures.

The County includes the following language on posters at County facilities, in program materials, on the County's website, in press releases, in public notices, and in documents provided to CORTRAN clients and members of the public:

Roanoke County is committed to ensuring that no person is excluded from participation in programs and activities or denied the benefits of its services based on:

- *Race, color, or national origin, as protected by Title VI of the Civil Rights Act of 1964.*
- *Disability protected by Section 504 of the Rehabilitation Act of 1973.*
- *Sex protected by Title IX of the Education Amendments Act of 1972.*
- *The age protected by the Age Discrimination Act of 1975.*
- *Religion is protected by U.S. Department of Homeland Security regulation 6 C.F.R. Part 19.*

For additional information about the County's nondiscrimination policies and procedures, or to file a complaint, please visit our website at www.roanokecountyva.gov, or contact the Assistant Director of Human Resources, Title VI/ADA Coordinator for Roanoke County at 5204 Bernard Drive, Suite 300-A, Roanoke, VA 24018, 540-772-2018, kjordan@roanokecountyva.gov

Instructions for filing civil rights complaints are posted on the County's website and are also included in all information disseminated to CORTAN program riders, contractors, and members of the public as needed.

A. Procedures for Filing a Civil Rights Complaint

1. Any individual, group, or entity who believes they have been discriminated against on the basis of race, color, national origin, disability, age, sex, or religion may file a written complaint with the Roanoke County Title VI/ADA Coordinator. The complaint must be filed as follows:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint must be in writing and signed by the complainant(s).
 - c. The complaint must include:
 - the complainant's name, address, and contact information (i.e., phone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if several days, include the date the complainant(s) became aware of the alleged discrimination and the date the alleged discrimination was suspended or in the latter case)
 - A description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination
 - Explanation of why the plaintiff believes the act has been discriminatory on the basis of race, color, or national origin
 - if known, the names and/or titles of the persons involved in the incident
 - Names and contact information of witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - d. The complaint should be sent to Kristie B. Jordan, Roanoke County Deputy Director of Human Resources, Title VI/ADA Coordinator, 5204 Bernard Drive, Suite 300-A, Roanoke VA 24018, (540) 772-2018 or by email at kjordan@roanokecountyva.gov.
 - e. Complaints received by any other County employee will be immediately forwarded to the Title VI/ADA Coordinator.
 - f. In the event that a complainant is unable or unable to provide a written statement, a verbal complaint of discrimination may be filed with the Title VI/ADA Coordinator. In these circumstances, the complainant will be interviewed and the Title VI/ADA Coordinator will record or commemorate the interview.
2. Upon receipt of a complaint, the Prompt Coordinator will:
 - a. notify DRPT, VDOT, or other appropriate state or federal agency;

- b. notify the County Administrator;
- c. Make sure the complaint is entered into the complaint database.

B. How are complaints channeled?

FHWA Division offices do not investigate civil rights complaints. Similarly, state DOTs and their subrecipients do not investigate complaints filed against themselves. Finally, the FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency.

With this understanding, complaints should be addressed in the following ways:

1. All complaints will be forwarded to FHWA's Central Office for Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer complaints filed against the County (a subrecipient of federal financial assistance).
2. Complaints must be submitted from the initial receiving agency through the federal aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with the County, the County will forward the complaint to VDOT, which will forward it to the VDOT FHWA Division Office, which will forward the complaint to HCR. If a complaint is filed with VDOT, VDOT will forward the complaint to VDOT's FHWA Division Office, which must forward the complaint to HCR.
3. VDOT and the County will record all complaints received.
4. When HCR decides whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, VDOT, and the County.
5. Complaints may also be sent directly to the United Nations High Commissioner for Human Rights or the Commission on Human Rights at the following address:

Federal Highway Administration

U.S. Department of Transportation Office for Civil Rights

1200 New Jersey Avenue, SE

8th Floor E81-105

Washington, DC 20590

Email: CivilRights.FHWA@dot.gov

Fax (202) 366-1599

Questions? (202) 366-0693

U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL)

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Fulfillment Branch, Mail Stop #0190
2707 Martin Luther King, Jr. Ave., SE
Washington, D.C. 20528
Email: CRCLCompliance@hq.dhs.gov (fastest method)
Fax: (202) 401-4708

C. What are the possible outcomes of handling a complaint?

There are four (4) possible outcomes for complaint processing:

1. Accept: If a complaint is timely filed, contains sufficient information to support a claim that violates a person's civil rights, and pertains to matters under the jurisdiction of the FHWA, then HCR will send the complainant, the respondent agency, and the FHWA Division Office written notice that it has accepted the complaint for investigation.
2. Preliminary Review: If it is unclear whether the allegations in the complaint are sufficient to support a claim under an individual's civil rights, then HCR may either (1) dismiss the complaint or (2) engage in a preliminary review to obtain additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
3. Procedural Dismissal: If a complaint is not filed on time, is not in writing and signed, or has other procedural/practical defects, HCR will send the complainant, the respondent, and the FHWA Division Office a written notice that it is dismissing the complaint.
4. Referral/Dismissal: If the complaint is procedurally sufficient, but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, the respondent, and the FHWA Division Office a copy of the written notice of termination. For referrals, FHWA will send a written referral notice with a copy of the complaint to the appropriate federal agency and a copy to the USDOT Departmental Office for Civil Rights.

The HCR is responsible for conducting all investigations of state DOTs and other primary recipients. In the case of a complaint filed against a subrecipient, HCR may conduct the investigation itself or may delegate the investigation to VDOT. If

HCR chooses to delegate the investigation to a sub-recipient, HCR will communicate its acceptance of the complaint to the complainant and the respondent, but VDOT will conduct all requests for data, interviews, and analysis.

VDOT will then create an Investigation Report (ROI), which it will send to HCR. Finally, HCR will review the ROI and draft a finding letter based on the ROI.

Civil Rights Complaint Form - English

Civic Rights Complaint Form - Spanish