

SAP&DC

Title VI Complaint Processing Procedures

It is the policy of Southern Alleghenies Planning & Development Commission (SAP&DC) to comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, E.O. 12898, and related statutes and regulations in all programs and activities and requires that no person in the United States shall on the grounds of race, color, national origin, sex, age or disability be excluded from the participation in, denied the benefits of or otherwise subjected to discrimination under any program or activity for which SAP&DC receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with SAP&DC. Any such complaint must be in writing and signed by the complaining person(s) or representative and filed with SAP&DC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. The Title VI Discrimination Complaint form can be obtained from SAP&DC's Title VI Coordinator, Ms. Deborah E. Shaffer, 814-949-6513/800-258-4533, dshaffer@sapdc.org, 3 Sheraton Drive, Altoona, PA 16601 or by visiting our website, www.sapdc.org. For assistance completing the form or translation and interpretation services please contact the Title VI Coordinator at 814-949-6513 or 800-458-2533.

Narrative

The SAP&DC Title VI Complaint Procedures are written to specify the process employed by SAP&DC to investigate complaints while ensuring due process for complainants and respondents. The process does not preclude SAP&DC from attempting to informally resolve complaints.

The procedure applies to all external complaints relating to any program or activity administered by SAP&DC and/or its subrecipients, consultants and contractors filed under Title VI of the Civil Rights Act of 1964, as amended (including Disadvantage Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, sex, age, low income, nationality or Limited English Proficiency. Additional statutes include, but are not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987 and the Americans with Disability Act of 1990.

The procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Intimidation or retaliation of any kind is prohibited by law.

Process

An individual, or his/her representative, who believes that he/she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions, has the right to file a complaint. Complaints need to be filed within 180 calendar days of alleged occurrence, when the alleged discrimination became known to the complainant or when there has been a continuing course of conduct, the date on which the conduct was discontinued or latest instance of the conduct.

Complaints may be mailed to or delivered to:

Ms. Deborah E. Shaffer
Title VI Compliance Officer
SAP&DC
3 Sheraton Drive
Altoona, PA 16601
Phone: 814-949-6513/800-458-2533
FAX: 814-949-6582
Email: dshaffer@sapdc.org

Equal Opportunity Specialist
Federal Highway Administration
228 Walnut Street, Room 508
Harrisburg, PA 17105-1720

United States Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Office of the Assistant Attorney General, Main
Washington, DC 20530

Civil Rights Officer
United States Department of Transportation
Federal Transit Administration
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124

Title VI Specialist
Bureau of Equal Opportunity
Pennsylvania Department of Transportation
PO Box 3251
Harrisburg, PA 17105

Title VI Coordinator
Office of Civil Rights
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Complaints shall be in writing and signed by the complainant(s). If complaints are received by telephone or in person, the Title VI Coordinator or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the complainant(s) in writing the complaint.

If SAP&DC receives a complaint, the Title VI Coordinator will acknowledge receipt of the complaint by notifying the complainant and immediately transmitting the complaint to the proper state and federal agency (e.g. Federal Highway Administration, Federal Transit Administration

and Penn DOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures.

If the complainant elects to attempt resolution at the local level, the Title VI Coordinator will conduct a fact finding investigation. The Title VI Coordinator will meet with the complainant or his/her representative within ten (10) business days from the date of receipt of the written allegations, to conduct a fact finding investigation of the circumstances underlying the allegations and attempt to informally resolve the issue(s). The Title VI Coordinator's findings will be submitted in writing to the complainant not later than ten (10) business days following the fact finding investigation. The written notification shall include notice of the complainant's right to request a formal investigation at the state or federal level, if a satisfactory resolution is not accomplished at the local level.

If the complainant is dissatisfied with the attempted informal resolution, he/she must inform the Title VI Coordinator within five (5) business days of receipt of the unsatisfactory decision and request a formal investigation at the state or federal level.

The written complaint must include the following information:

- Name, address and telephone number of complainant
- Bases of the complaint (e.g. race, color, national origin, sex, age, disability or retaliation)
- A detailed description of the circumstances of the incident that lead the complainant to believe the discrimination occurred.
- Names, address and phone numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained of incident.
- Date or dates on which the alleged discrimination occurred.
- If crossed filed, the name of other agencies where the complaint was filed.

As the investigation moves forward, additional information may be required.

The SAP&DC Title VI Coordinator will maintain a log of all complaints received by SAP&DC.