

North East Texas Regional Mobility Authority Title VI Complaint Process/Procedures

Introduction

These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by the NET RMA, its consultants and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation meeting(s) between the affected parties and the investigator may be utilized for resolution at any stage of the process. The NET RMA will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will include requests for information regarding specific relief and settlement options.

Filing

Any person who believes they, or any specific class of persons, to be subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FHWA. Complaints related to the Federal-aid highway program may be filed with TxDOT, FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the USDOJ.

A complaint form can be found within this NET RMA Title VI program document (*See Attachments J & K*) or may be picked in person at the NET RMA office. Si se necesita informacion en otro idioma de contacto (903) 630-7894. The complaint must meet the following requirements:

- Complaints must be in writing and signed by the complainant(s) on forms developed and made available by the NET RMA or made verbally in person, over the phone, or by email;
- Complaints must include information relative to the date(s) of the alleged act(s) of discrimination; and
- Complaint must present a detailed description of the alleged discrimination, including names, job titles and addresses of those individuals perceived as parties in the action complained against.

Where to File

Complaints alleging violations of Title VI by NET RMA may be filed in writing directly with

the following local, state and federal agencies.

Title VI complaints may be submitted in person or via mail to:

North East Texas Regional Mobility Authority
Attn: Deanne Simmons, Title VI Coordinator
1011 Pruitt Place
Tyler, TX 75703

Complaints may also be mailed directly to:

- a. Texas Department of Transportation, Attn: Title VI Program Administrator, 125 E. 11th Street, Austin, TX 78701-2483;
- b. Federal Highway Administration, Office of Civil Rights, HCR-20, Room E81-320, 1200 New Jersey Ave, S.E., Washington, D.C. 20590;
- c. Federal Highway Administration – Texas Division, Attn: Civil Rights Specialist, 300 E. 8th St., Austin, TX 78701

Receipt and Acceptance

Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction and need for additional information. The complaint will be reviewed with NET RMA attorneys for a determination of acceptability. The Title VI Coordinator will notify the complainant, in writing, within ten (10) working days of receipt of the complaint. In order to be accepted, a complaint must meet the following criteria:

- The complaint must be filed with 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant;
- The allegation(s) must involve a covered basis such as race, color, or national origin; and
- The allegation(s) must involve a program or activity that receives Federal financial assistance.

Dismissal

A complaint may be dismissed by the Title VI Coordinator for the following reasons:

- The complainant requests withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process the complaint; or
- The complainant cannot be located after reasonable attempts.

Investigation by the Texas Department of Transportation (TxDOT)

The NET RMA will forward external discrimination complaints against the NET RMA to TxDOT within ten (10) calendar days of receipt of any complaint for investigation.

Information to be Maintained

The Title VI Coordinator shall collect and maintain a log of all filed complaints within the official records of the NET RMA, which shall include the following information, at a minimum:

- Identification of each complainant by race, color, or national origin;
- The recipient;
- The nature of the complaint;
- The dates the complaint was filed and the investigation completed;
- The disposition and date of disposition; and
- Other pertinent information in accordance with all Federal guidelines.

Appeals

Once a Title VI Complaint process has been completed, should the complainant disagree with the result, the complainant may seek any such other remedies available, including but not limited to the filing of an action in the appropriate U.S. District Court.