

Title VI Complaint Procedures and Complaint Form

As a recipient of federal dollars, Faith in Action (FIA) is required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a nondiscriminatory basis. Faith in Action has adopted a Title VI Complaint Procedure that outlines a process for the disposition of Title VI complaints and is consistent with guidelines found in the Federal Transit Administration Circular 4702.1B dated October 1, 2012.

1. Filing of Complaints

- a. Complaints must be submitted in writing directly to Faith in Action's (FIA) Title VI Coordinator: the Rev. Robert T. Fuentes at 3303 Whitemarsh Lane, Fairfield, CA 94534.
- b. In the case that a complaint is filed against the Executive Director, written complaints can be submitted to the agency's Board of Directors President: Wade Askew, at 2890 Knob Hill Dr. Atlanta, GA 30339
- c. A complaint form may be obtained from the FIA website, from agency staff or the Title VI Title VI Coordinator.
- d. A copy of any complaint that is directed to another individual that may allege discrimination based on race, color, or national origin should be sent to the Title VI Coordinator.
- e. In cases where the complainant is unable or incapable of providing a written statement, but wishes FIA to investigate alleged discrimination, a verbal complaint of discrimination may be made to FIA. If necessary, staff will assist the person in converting verbal complaints to writing. However, a complaint form must be signed by the complainant or his/her representative in order for FIA to

proceed with an investigation.

f. Complaints that are made to the Federal Transit Administration or the California Department of Transportation and forwarded to FIA will be handled internally by the Title VI Coordinator.

g. Complaints should be filed within 180 days of the date of the alleged discrimination. FIA reserves the right to reject complaints that are not filed within 180 days.

2. Determination of Jurisdiction and Investigative Merit

a. Based on the information in the complaint, the Title VI Coordinator will determine if the complaint has sufficient merit to warrant an investigation and if FIA has jurisdiction over the action about which the complaint is being filed.

b. A complaint shall be regarded as meriting investigation unless it does not allege exclusion from participation in services or related benefits or denial of benefits based on race, color, or national origin, or is outside of the jurisdiction of FIA.

c. Standard procedures for responding to complaints should continue unless the Title VI Coordinator indicates that a Title VI investigation is warranted.

3. Opportunity to request additional information from complainant

In the event that the complainant has not submitted sufficient information to make a determination of jurisdiction or investigative merit, FIA may request additional information from the complainant. This request will require that the party submit the information within sixty (60) working days from the date of the original request. Failure of the complainant to submit additional information within the designated time frame may be considered

good cause for a determination that the complaint does not have investigative merit.

4. Notification of Investigation

- a. The Title VI Coordinator or his/her designee shall notify the complainant, the party charged, and any appropriate FIA staff (Executive Director or Board President) of the results of the decision to begin an investigation.
- b. In the event the Title VI Coordinator decides no investigation is warranted, the appropriate FIA staff will issue a response to the complaint per standard procedures for responding to complaints.
- c. In the event the Title VI Coordinator in consultation with the Board President and/or the Board of Directors decides to investigate the complaint, the notification shall state the grounds of FIA jurisdiction, inform the parties that an investigation will take place, and request any additional information needed to assist the investigator in preparing for the investigation.
- d. When FIA lacks jurisdiction, the Title VI Coordinator shall refer the complaint to the appropriate authority having jurisdiction over the complaint.

5. Investigation of Complaint

- a. The Title VI Coordinator may elect to conduct his/her own investigation of the complaint or to have such an investigation done by his/her designee.
- b. If the complaint alleges discrimination by an individual employee or volunteer, the manager of said employee or volunteer shall be consulted in the investigation. If warranted, the employee or volunteer in question will be handled according to FIA's standard disciplinary policy.

6. Parameters of Investigation

- a. The investigation shall be completed within sixty (60) working days after the assignment has been given to the investigator, contingent upon the investigator's workload and resources.
- b. A written Investigative report will be prepared by the responsible investigator at the conclusion of the investigation. This report will be reviewed by the Board of Directors, as well as any Legal Counsel that may have been consulted.
- c. The investigative report will include the following:
 1. Summary of the complaint, including a statement of the issues raised by the complainant and the respondent's reply to each of the allegations;
 2. Description of the investigation, including a list of the persons contacted by the investigator and a summary of the interviews conducted; and
 3. A statement of the investigator's findings and recommendations.

7. Disposition of Complaint

- a. The disposition of the complaint will be communicated to the complainant by letter. In addition, a rationale supporting the decision and any recommendations will be included in the letter.
- b. The complainant may request reconsideration of FIA's findings within fifteen (15) days of the notice of disposition of the complaint. This request should include any additional information or analysis the complainant considers relevant. The Title VI Coordinator will inform the complainant of his/her decision to accept or reject the request within thirty (30) days after its receipt.
- c. In cases in which a request for reconsideration is approved, the responsible investigator will reopen the investigation and proceed

to process the complaint in the same manner described above. In cases in which a request for reconsideration is not approved, the complainant can seek further recourse by registering his/her complaint with the Office of Civil Rights of the Federal Transit Administration, 1200 New Jersey Ave. SE, Washington, DC 20590.