Attachment B

Title VI Complaint Procedures

GENERAL

Any person who believes that he or she, individually, or as a member of any specific class of persons, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the City of Joplin, Title VI Complaint Officer, 602 S. Main, Joplin, MO 64801. Complainants have the right to complain directly to the appropriate state or federal agency, such as the Missouri Commission on Human Rights, Equal Employment Opportunity Commission and Federal Transit Administration (FTA) or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Complaint Officer may be utilized for resolutions.

PROCEDURE

1. The complaint must meet the following requirements:

   A. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Complaint Officer will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.

   B. Include the date of the alleged act of discrimination, date when the Complainants became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.

   C. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.

   D. Federal law requires complaints be filed within 180 calendar days of the alleged incident.

2. Upon receipt of the complaint, the Title VI Complaint Officer will determine jurisdiction, the acceptability of the complaint, the need for additional information, and will investigate the complaint accordingly.

3. The Complainant will be provided with a written acknowledgement of that the City of Joplin has either accepted or rejected the complaint.

4. A complaint must meet the following criteria for acceptance:

A. The complaint must be filed within 180 days of the alleged occurrence.

B. The allegation must involve a covered basis such as race, color, or national origin.

C. The allegation must involve a City of Joplin service of a federal-aid recipient, sub-recipient or contractor.

5. A complaint may be dismissed for the following reasons:

A. The Complainant requests the withdrawal of the complaint.

B. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.

C. The Complainant can't be located after reasonable attempts have been made to locate Complainant.

6. Once the Title VI Complaint Officer decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: Complainant's name, basis, alleged harm, race, color, and national origin of the Complainant.

7. In cases where the Title VI Complaint Officer assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Title VI Complaint Officer will prepare an investigative report for review by the City of Joplin Public Works Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

8. The investigative report and its findings will be reviewed by the Public Works Director and in some cases the investigative report and findings will be reviewed by the City of Joplin's Legal Counsel. The report will be modified as needed.

9. The Public Works Director/Legal Counsel will make a determination on the disposition of the complaint. If it is found that the City of Joplin is in noncompliance with Title VI regulations remedial actions will be taken.

10. Notice of Public Works Director's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

A. The City of Joplin will reconsider this determination, if new facts are revealed.

B. If Complainant is dissatisfied with the determination and/or resolution set forth by the City of Joplin, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

11. A copy of the complaint and the City of Joplin's investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the compliant.

12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

RECORDKEEPING REQUIREMENT

Title VI investigative reports will be retained for up to three years and records will be made available for compliance review audits.