



VIII. Discrimination Complaint Procedures

Title VI, Environmental Justice, and other subsequent laws prohibit discrimination based on race, color, national origin, handicap, sex, age, income-status and limited-English-speaking proficiency. As a federally-funded agency, the Charlottesville-Albemarle MPO has developed a method for receiving and handling such complaints should they be made. The complaint procedures are outlined as follows:

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes, may file a written complaint. This complaint must be submitted using the appropriate Title VI form, which is included as an appendix to this document. All written complaints received by the MPO shall be referred immediately by the MPO's Title VI Coordinator, to the VDOT's Central Office: Civil Rights Division and FHWA District Office.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after the date of the alleged act of discrimination. In this case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.



4. Within 10 days of the MPO receiving the allegation in writing, the Title VI Coordinator will inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA).
5. Within 10 days, a letter will be sent to the VDOT Central Office, Civil Rights Division, and a copy to the FHWA Virginia Division Office. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
6. In the case of a complaint against the Charlottesville-Albemarle MPO, a VDOT investigator will prepare a final investigative report and send it to the complainant, respondent (MPO person listed), the MPO Title VI Coordinator, and FHWA Virginia Division.
7. Generally, the following information will be included in every notification to the VDOT Office of Civil Rights:
 - Name, address, and phone number of the complainant.
 - Name(s) and address (es) of alleged discriminating official(s).
 - Basis of complaint (i.e., race, color, national origin, sex, age, handicap/disability, income status, limited English proficiency).
 - Date of alleged discriminatory act(s).
 - Date of complaint received by the recipient.
 - A statement of the complaint.
 - Other agencies (state, local or federal) where the complaint has been filed.
 - An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.



8. Within 60 days, the MPO Title VI Administrator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the recipient of federal assistance. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
9. Within 90 days of receipt of the complaint, the MPO Title VI Administrator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the Virginia Department of Transportation or the Federal Highway Administration, if they are dissatisfied with the final decision rendered by the MPO. The MPO will also provide the VDOT Civil Rights Central Office with a copy of the determination and report findings.
10. In the case a nondiscrimination complaint that was originated at the MPO is turned over to and investigated by VDOT, FHWA or another agency, the MPO will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and VDOT policies and procedures.
11. In accordance with federal law, the MPO will require that applicants of federal assistance notify the MPO of any law suits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.



12. The MPO will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and VDOT's established procedures and guidelines.
13. Pursuant to the Virginia Public Records Act (VPRA) § 42.1-76 et seq., the MPO will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the MPO.
14. Records of complaints and related data will be made available by request in accordance with the Virginia Freedom of Information Act