

Title VI Complaint Procedure Dyer County

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 relating to any program or activity administered by Dyer County or its sub-recipients, 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 a 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 level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

1. Any individual, group of individuals, or entity that believes they had been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with Dyer County Title VI Coordinator. A formal complaint must be filed within 180 days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s).
A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to Dyer County Title VI Coordinator to process.
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued of the latest instance of the conduct).
 - c. Present a detailed description of the issues, including names and job titles of those individual perceived as parties in the complained-of incident.
 - d. Allegations received by fax or e-mail will be acknowledged and process, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. The complainant is required to mail a signed, original copy of the fax or e-mail transmittal for Dyer County to be able to process it.
 - e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing.

2. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of Dyer County's sub-recipient of Federal funds, Dyer County will assume jurisdiction and will investigate and adjudicate the case.
3. In order to be accepted, a complaint must meet the following criteria:
 - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
 - b. The allegation(s) must involve a covered basis such as race, color, national origin.
 - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor.
4. 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 cannot be located after reasonable attempts.
5. Once Dyer County decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within seven (7) calendar days. The complaint will receive a case number and will then be logged into Dyer County's records identifying its basis and alleged harm.
6. In cases where Dyer County assumes the investigation of the complaint, Dyer County will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of Dyer County's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. Dyer County's final investigative report and a copy of the complaint will be forwarded to the County Mayor and affected parties within 60 calendar days of the acceptance of the complaint.
8. Dyer County will notify the parties of its final decision.
9. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices, the complainant will be advised of the right to appeal to Dyer County or appropriate agency.

Appeals Procedure:

- a. The complainant has the right to appeal all written reports to County Mayor
- b. This appeal must be made in writing to the County Title VI Coordinator within fourteen (14) days of receipt of the assigned coordinator's final report.
- c. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for disagreement.
- d. The Coordinator will forward this appeal within seven (7) days to the County Mayor for review.
- e. The County Mayor's review of the findings will be based on the entire record.
- f. The County Mayor must complete the appeal review thirty (30) calendar days after the receipt of the appeal.
- g. The County Mayor will forward his written findings to the complainant and the County Title VI Coordinator.