

Title VI/Civil Rights Complaint Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, as amended, and the Americans with Disabilities Act (ADA) of 1990, as amended, relating to any transportation or program or activity receiving federal financial assistance administered by the MHRA or sub-recipients and contractors. The program is also conducted in accordance with FTA Circular 4702.1B as well as the FTA Circular 4710.1, ADA Guidance.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The Civil Rights 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.

Any individual, group or individuals or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the MHRA. A formal complaint must be filed within 180 calendar days of the alleged occurrence, or when the alleged discrimination became known to the complainant. These procedures are part of an administrative process, which does not provide for remedies that include punitive damage or compensatory remuneration for complainant.

The 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. The MHRA has authority for accepting complaints for investigation, but complainants may also file complaints with TxDOT or the Federal Transit Administration within 180 days of the alleged offense. If you would like to file with TxDOT, please send a written complaint to TxDOT Public Transportation, 3712 Jackson Avenue, Building 6, 5th floor, Austin, Texas 78731. If you would like to file with FTA, please send a written complaint to FTA Region VI, 819 Taylor Street, Room 8A36, Fort Worth, TX 76102.

The complainant must meet the following requirements. The Complaint shall be:

- a. In writing;
- b. Signed;
- c. Dated for the alleged act of discrimination; and
- d. Contain a detailed description of the issues including name(s) and job(s).

Allegations received by email will be acknowledged, but the complainant is required to mail a signed, original copy of the email transmittal to the MHRA in order for the MHRA to be able to process it. All correspondence to the MHRA for processing should be addressed to the Executive Director and should have "Attn: Title VI" on the outside. Allegations received by telephone will be transcribed and provided to the complainant for confirmation or revision before processing. A transcribed complaint form will be forwarded to the complainant for him/her to complete, sign and return to the MHRA for processing.

Complaint will be accepted based on the following:

1. If complaint has been filed in timely manner;
2. If complaint/allegations involve a covered basis such as race, color, national origin or disability; and
3. If complaint/allegations involve a program or activity of a federal-aid recipient, sub-recipient, or contractor or, in the case of ADA allegations, an entity open to the public.

A complaint may be dismissed for the following reasons:

1. Complainant requests the withdrawal of the complaint;
2. Complainant fails to respond to repeated requests for additional information needed to process complaint; or
3. Complainant cannot be located after reasonable attempts.

Once the MHRA decides to proceed with the investigation, the complainant will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a reference code that will correspond to the MHRA's records identifying its basis of alleged harm: race, color, national origin or disability.

In cases where the MHRA engages in investigation of the complaint, the Civil Rights Coordinator will provide the individuals identified in the complaint the opportunity to respond to the allegations in writing. The identified individuals will have ten (10) calendar days from the date of the MHRA's written notification of acceptance of the complaint to furnish his/her response to the allegations.

Within 30 calendar days of the acceptance of the complaint, the Civil Rights Coordinator will prepare an investigative report for the Chairman/woman of the Board of Directors. The report shall include a narrative description of the incident, identification of persons interviewed, and findings and recommendations. The Chairman/woman of the Board of Directors will have ten (10) calendar days to review and provide comments to the Civil Rights Coordinator.

After the Civil Rights Coordinator address any comments from Chairman/woman of the Board of Directors about the preliminary investigative report, the report and its findings will be forwarded to the MHRA's legal consultant for review. The legal consultant will review the report and associated documentation and will provide input within ten (10) calendar days.

The MHRA's final investigative report and a copy of the complaint will be forwarded to the Complainant and the FTA within 60 calendar days of the acceptance of the complaint. The MHRA will notify all parties of its findings.