

Attachment #1: NIRPC's Title VI Complaint Procedures

NIRPC Procedures for Tracking and Investigating Civil Rights Complaints

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin in programs and services funded, in whole or part, by financial assistance from the United States Government. NIRPC extends this prohibition to individuals on the basis of disability, religion and gender. Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA) prohibit discrimination on the basis of disability.

All services and programs operated or sponsored by the Northwestern Indiana Regional Planning Commission, 6100 Southport Road, Portage, Indiana, 46368 are subject to the requirements and obligations of Title VI, Section 504 and the ADA. It is the intention of the Northwestern Indiana Regional Planning Commission (NIRPC) to comply fully with Title VI, Section 504 and the ADA.

Under the provisions of Title VI, Section 504 and the ADA, persons who believe that they have experienced or witnessed any act or inaction, intentional or otherwise, in any program, service, or activity operated by or sponsored by the NIRPC that results in or may result in disparate treatment or impact, or perpetuates the effects of prior discrimination on the basis of race, color, national origin, gender, religion, or disability may file a written complaint with the NIRPC or directly with the U.S. Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), or the Indiana Department of Transportation (INDOT).

Complaints filed directly with FTA must be mailed within 180 days of any alleged discrimination. Complaints should be mailed to:

Federal Transit Administration Office of Civil Rights Attention
Title VI Program Coordinator
East Building, 5th Floor – TCR 1200
New Jersey Ave., SE Washington, D.
C, 20590

Complaints filed directly with FHWA must be mailed within 180 days of any alleged discrimination. Complaints should be mailed to:

Federal Highway Administration Office of Civil Rights
Attention: Title VI Program Coordinator
1200 New Jersey Ave. SE
Washington, D.C. 20590

Complaints filed directly with INDOT must be mailed within 180 days of any alleged discrimination. Complaints should be mailed to:

Indiana Department of Transportation
Attention Title VI Program Coordinator
100 N. Senate Ave. Room 750
Indianapolis, Indiana 46204

Or via the INDOT website at: <https://www.in.gov/indot/contact-indot/report-a-concern2/>

How to File a Complaint to NIRPC

A person with a Title VI or ADA complaint may also submit the complaint to NIRPC using the following procedures:

1. A complaint may be submitted in writing and must include the person's name and contact information, the date of the incident, and the identity of the person or department or service that caused the complaint. Complaints may be sent via mail, email, fax, or hand delivered and shall be addressed to the NIRPC Compliance Specialist 6100 Southport Road, Portage, IN 46368. aweitgenant@nirpc.org
2. A complaint may be taken verbally and must include the person's name and contact information, the date of the incident, and the identity of the person, department or service that caused the complaint.
3. Persons with a complaint may request a neutral third party to hear a verbal complaint or assist with a written complaint. The selection of the neutral third party shall be made cooperatively between NIRPC and the person filing the complaint.
4. All complaints shall be addressed to the NIRPC Compliance Specialist.

NIRPC Complaint Procedure

1. The person filing a complaint on the basis of discrimination based on race, color, gender, religion, national origin or disability will be informed that the complaint may be either filed directly with the FTA, FHWA, INDOT or with NIRPC. It shall be the responsibility of the Compliance Manager of NIRPC, or her designee, to track, investigate and document Title VI, Section 504, and ADA complaints.
2. If the person opts to file the complaint with NIRPC, the complaint will be directed by the Compliance Specialist to the appropriate department manager for a fact-finding review. The manager will prepare a written response to the complaint and submit it to the NIRPC Compliance Specialist.
3. If the NIRPC Compliance Manager determines that the fact-finding review substantiated the complaint, he shall report the same to the NIRPC Executive Director, who will order, or authorize the Compliance Specialist to order, corrective action be taken as warranted.
4. The person who filed the complaint will be consulted as to the adequacy of the proposed remedy. If acceptable, the matter is concluded.
5. If the proposed remedy is not acceptable, the person who filed the complaint may appeal and request a hearing with the NIRPC Finance and Personnel Committee for purposes of stating their complaint and identifying an appropriate remedy.

6. The Finance and Personnel Committee will issue a response and recommend a remedy within ten days of the hearing.
7. If acceptable, the matter is concluded. If not, the person is again advised of the appropriate steps to appeal the complaint with the FTA, FHWA or INDOT.
8. The NIRPC Compliance Specialist shall maintain the files and records of the NIRPC relating to the complaints filed verbal and written for a period of three years.

Requests for this document in alternate format or assistance in preparing a complaint may be directed to NIRPC staff Ann Weitgenant at aweitgenant@nirpc.org, or by phone at 219-243-5945. TTY users may utilize the Relay Indiana Service by calling 711 or (800) 743-3333.

The Northwestern Indiana Regional Planning Commission
COMPLAINT FORM

All written complaints about any matter relating to civil rights, shall be submitted on this form. NIRPC will assist those who submit verbal complaints to transfer these complaints onto this written form. You are required to complete all sections. Before completing this form, please ensure that you have read NIRPC's Procedures for Tracking and Investigating Civil Rights Complaints. You should expect an acknowledgement within 10 working days and will be informed of the outcome of your complaint within 90 days, unless NIRPC notifies you that the investigation will need additional time.

This form should be sent to the Compliance Specialist of the Northwestern Indiana Regional Planning Commission
Please keep a copy of this form for your records, plus any material you submit.

SECTION A - YOUR DETAILS

Title Name(s).....

Address

CityState..... Zip

Telephone Number

SECTION B - NATURE OF THE COMPLAINT

Please set out below the main points of your complaint.

Use additional sheets if necessary.



PLEASE LIST ANY DOCUMENTARY EVIDENCE ATTACHED AND MAKE SURE YOU KEEP A COPY.
(E.g., any correspondence, list of dates when events occurred, or other documentation related to your complaint)

SECTION C - AN OUTLINE OF THE ACTION YOU HAVE TAKEN SO FAR

Please outline the steps you have already taken to resolve your complaint informally:

With whom was it discussed?

Date

Position

Department(s)

Describe the outcome of any action taken so far and explain why you believe that the matter has not yet been resolved.

SECTION D - DESIRED OUTCOME

Please describe the action you would like to see taken in order to resolve the complaint to your satisfaction.

SECTION E - DECLARATION

I believe that the above information is accurate. I confirm that details of this complaint can be passed on to the NIRPC Finance and Personnel Committee for appeal (if applicable).

Signature:

Name

Contact Information

Date:



FOR OFFICE USE ONLY:

Acknowledgement sent

Reply sent

Complaint forwarded to department

Response received

What action (if any) is now needed?