



## **Title VI Complaint Procedure How to File a Complaint And Complaint Form**

### **Tracking and Investigating Process**

It is the policy of OUTREACH to employ its best efforts to ensure that all programs, services, activities and benefits are implemented without discrimination. OUTREACH follows complaint investigation and format procedures which are in keeping with Title VI requirements. The following is the OUTREACH procedure for tracking and investigating complaints alleging discrimination on the basis of race, color or national origin.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with OUTREACH, the Santa Clara Valley Transportation Authority (VTA), the Federal Transit Administration (FTA) or the Secretary of Transportation. Further, OUTREACH prohibits intimidation, coercion or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI.

A signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of Transportation. OUTREACH encourages complaints to be initially filed with OUTREACH and/or VTA for resolution. However, in those cases where the complainant is dissatisfied with the resolution by OUTREACH and/or VTA, the same complaint may be submitted to the FTA or the Secretary of Transportation for investigation. Unless otherwise permitted, the final determination of all the Title VI complaints affecting programs administered by the FTA will be made by the Office of the Secretary, Department of Transportation (DOT).

Complainants may submit signed written complaints to OUTREACH and/or VTA directly or the FTA offices identified below:

Mr. Alan Yonemura, Title VI Administrator

**OUTREACH Administration**

2221 Oakland Rd., Suite 200

San Jose, California 95131

Phone: 408-684-4520

Email: [alany@outreach2.org](mailto:alany@outreach2.org)

**Santa Clara Valley Transportation Authority (VTA)**

Santa Clara Valley Transportation Authority

3331 North First Street, Bldg. B

San Jose, California 95134-1906

Phone: 408-321-5571

**Caltrans Headquarters**

California Department of

Transportation

Civil Rights, Equal Employment

Opportunity Program

700 N. 10<sup>th</sup> Street, Suite 102B

Sacramento, Ca. 95814

Phone: 1-916-324-9641

**Federal Transit Administration**

Office of Civil Rights

Title VI Program

1200 New Jersey Avenue, SE

Washington, DC 20590

Phone: 1-888-446-4511

**Federal Highway Administration**

Washington DC Office

Civil Rights Program/Title VI

1200 New Jersey Ave., SE

8<sup>th</sup> Floor E81-105

Washington DC

Phone: 1-202-336-0693  
Fax: 1-202-366-1599

In cases where the complainant is unable or incapable of providing a written statement but wishes OUTREACH or the FTA to investigate alleged discrimination, a verbal complaint of discrimination may be made. The complainant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist the complainant in converting the verbal complaint to writing. Translation services will be provided to all complainants, as necessary. All complaints must, however, be signed by the complainant or his/her representative.

Information for filing a Title VI complaint can be accessed on the OUTREACH website at [www.outreach1.org](http://www.outreach1.org) or by contacting:  
OUTREACH Administration - Mr. Alan Yonemura at 408-684-4520.

E-mail inquiries or initial complaints can be sent directly to OUTREACH Administration at [katieh@outreach1.org](mailto:katieh@outreach1.org).

English, Spanish, Vietnamese and Chinese language Title VI protection notification information is available in printed form at OUTREACH business office location (posted in multiple locations open to the public). Multi-lingual translation services are available by calling: 408-684-4520.

## **Complaint Format**

1. All complaints must be in writing and signed by the complainant or his/her representative before action can be taken. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
2. OUTREACH will provide the complainant or his/her representative with a written acknowledgement that OUTREACH has received the complaint within ten working days.
3. The following complaint information will be tracked by the Office of Civil Rights on the OUTREACH Title VI Complaint/Investigation log:
  - a. Date the complaint was received by OUTREACH
  - b. Date an acknowledgement letter was sent to the complainant
  - c. Entity
  - d. Protected category
  - e. Program/Activity/Service
  - f. Summary of the allegation
  - g. Status of the complaint
  - h. Was the complaint investigated? Yes or No.
  - i. Action taken
  - j. The response letter was sent to the complainant Action taken

### **Determination of Investigative Merit**

OUTREACH will begin an investigation within fifteen (15) working days of receipt of a valid complaint. A complaint shall be regarded as meriting investigation unless:

1. It clearly appears on its face to be frivolous or trivial.
2. When the time allotted for making the determination of jurisdiction and investigative merit, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action.
3. Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or

4. Other good cause for not investigation the complaint exists (e.g. respondent is presently under investigation by another Federal agency.)

### **Request for Additional Information from Complainant and/or Respondent**

In the event that the complainant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, OUTREACH may request additional information from either party. This request shall be made within 15 working days of the receipt of the complaint and will require that the party submit the information within 60 working days from the date of the original request. Failure of the complainant to submit additional information within the designated time may be considered good cause for a determination of no investigative merit. Failure of respondent to submit additional information within the designated time frame may be considered good cause for a determination of noncompliance.

### **Investigative Report**

OUTREACH will complete an investigation within ninety (90) days of receipt of the complaint. If additional time for the investigation is needed, the complainant will be contacted. A written report will be prepared by the responsible investigator at the conclusion of the investigation. The investigative report will include the following:

1. Summary of the complaint, including a statement of the issues raised by the complainant and the respondent's reply to each of the allegations, citations of relevant Federal, State, and Local laws, rules, regulations and guidelines, etc.
2. Description of the investigation, including a list of the persons contracted by the investigator and a summary of the interviews conducted; and a statement of the investigator's findings and recommendations. A closing letter will be provided to the complainant.