



BUTTE COUNTY ASSOCIATION OF GOVERNMENTS
BUTTE REGIONAL TRANSIT, B-LINE

COMPLAINT PROCEDURES

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the Butte Regional Transit System may file a written complaint with the Butte County Association of Governments (BCAG), Title VI Administrator or the Federal Transit Administration (FTA).

How to File a Title VI Complaint with BRT:

The preferred method of filing a complaint is to file your complaint in writing using the Title VI complaint form, and sending it to:

**Butte Regional Transit
Attention: Title VI Administrator
326 Huss Drive, Suite 150
Chico, CA 95928.**

A complaint form is available in hard copy at the administrative office of Butte Regional Transit or may be downloaded online at www.BLinetransit.com or www.bcag.org . Such complaints must be filed within 180 calendar days after the date the discrimination occurred.

BRT will promptly investigate all Complaints filed under Title VI, pursuant to this Regulation.

Complaint must include the following information:

- a) A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken.

- b) A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

A Complaint Form

A Complaint Form can be used to file a Title VI complaint with BRT/BCAG. A *Complaint Form* will be made in an accessible format upon request. A *Complaint Form* can be obtained at:

- a) BRT's website www.blinetransit.com or BCAG's website www.bcag.org
- b) By calling BRT/BCAG at (530) 809-4616 a complaint form can be mailed.
- c) By picking up a complaint form at 326 Huss Drive, Suite 150, Chico, CA 95928 during regular business hours.

Once received, the Complaint shall be forwarded to the Title VI Administrator within two (2) business days. If the Title VI Administrator is unavailable, the Complaint shall be forwarded to the Executive Director.

Procedures for Investigating Complaints

The Executive Director or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as practicable, but no later than twenty (20) business days after his/her receipt of the complaint. The Executive Director or his/her designee may consult with appropriate staff in the preparation of his/her response to the complaint.

Efforts to Contact Complainant

The Executive Director or his/her designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The Executive Director or his/her designee shall review and consider the response prepared by the Executive Director or his/her designee, all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The Executive Director or his/her designee shall prepare a written report of his/her findings and if corrective action is required, a timetable for the completion of such action.

Completion of Investigation

As soon as it is practicable, but no later than twenty (20) business days following receipt of the initial complaint, the Executive Director or his/her designee shall inform the complainant of his/her findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

Appeal to Chair

If the complainant is not satisfied with the findings and/or action of BRT's Executive Director or his/her designee, then the complainant may file his/her Complaint with the Chair of the Board of Directors or with the FTA's Office of Civil Rights.

Appeal Process

If the complainant chooses to file his/her Complaint with the Chair of the Board of Directors, then the complaint and any supporting documentation should be submitted within ten (10) business days of his/her receipt of the results of the Executive Director's investigation, with the Chair of the Board of Directors by providing it to Executive Director at BRT facility. Upon review of the file, the Chair of the Board of Directors shall notify the complainant of what actions, if any, will be taken as a result of the review by the Chair within twenty (20) business days of the Chair's notification that the complainant is not satisfied with the results of the Executive Director's investigation. The decision of the Chair of BRT Board of Directors shall be final.

Timeline Waiver

Any timeline set forth herein may be extended by the Executive Director upon a showing of good cause.

How to File a Title VI Complaint with the FTA Office of Civil Rights

Any person who believes that he/she or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, national origin, age, sex, sexual orientation, or gender identity, with respect to BRT's programs, activities, or services, or other transit related benefits, may file a written Complaint with FTA. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination. FTA will promptly investigate all Complaints filed under Title VI in accordance with DOT regulations *49 CFR 21.11(b) and 21.11 (c)*.

A. *A Complaint must include the following information:* A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken. In cases where a Complainant is unable or incapable of providing a written statement, but wishes FTA or DOT to investigate alleged discrimination, a verbal Complaint of discrimination may be made to the FTA Director, Office of Civil Rights. If necessary, the Civil Rights Official will assist the person in converting the

verbal Complaint into writing. All Complaints must, however, be signed by the Complainant or his/her representative.

FTA Civil Rights Office Address:

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Avenue, S.E.

Washington, DC 20590

TTY: 1-800-877-8339

Voice: 1-866-377-8642

FTA.ADAAssistance@dot.gov

B. A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

Complaint Acceptance

Once a Complaint has been accepted, FTA will notify BRT that it has been subject to a Title VI Complaint and ask BRT to respond in writing to the Complainant's allegations. Once the Complainant agrees to release the Complaint to BRT, FTA will provide BRT with the Complaint. FTA may choose to close a Complaint if the Complainant does not agree to release the Complaint to BRT. FTA strives to complete a Title VI Complaint investigation within 180 days of the acceptance date of a Complaint.

Investigations

FTA will make a prompt investigation whenever a compliance review, report, Complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA's investigation will include a review of the pertinent practices and policies of BRT, the circumstances under which the possible noncompliance occurred, and other factors relevant to a determination as to whether BRT has failed to comply with Title VI regulations.

Following the investigation, FTA's Office of Civil Rights will transmit to the Complainant and BRT one of the following three letters based on its finding:

- a) *Letter of Resolution*: which explains the steps that BRT has taken or promises to take to come into compliance with Title VI.
- b) *Letter of Finding (Compliance)*: which explains that BRT is found to be in compliance with Title VI. This letter will include an explanation of why El Dorado Transit was found to be in compliance, and provide notification of the Complainant's appeal rights.

- c) *Letter of Finding (Noncompliance)*: which explains that BRT is found to be in noncompliance. This letter will include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences for failure to achieve voluntary compliance, and an offer of assistance to BRT in devising a remedial plan for compliance.

Appeals Process

The letters of finding and resolution will offer the Complainant and BRT the opportunity to provide additional information that would lead FTA to reconsider its conclusions. FTA requests that the parties in the Complaint provide this additional information within 60 days of the date of the FTA letter of finding. FTA's Office of Civil Rights will respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.

DEFICIENCIES WITH TITLE VI COMPLIANCE

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under 49 CFR 21.11(a).

If FTA determines that BRT is in noncompliance with Title VI, it will transit a *Letter of Finding* that describes FTA's determination and requests that BRT voluntarily take corrective action(s) which FTA deems necessary and appropriate.

BRT will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within 30 days of receipt of FTA's *Letter of Finding*.

ADMINISTRATION OF REGULATION

BRT will integrate the provisions within its Title VI Program into all programs, activities, and services provided by BRT.

BRT will integrate the Title VI Program into its policies and procedures.

Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons who are unable to read or write.