

Title VI Complaint Procedures

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person, specific class of persons or entity that believes they have been subjected to discrimination as prohibited by the legal provisions of Title VI on the basis of race, color, or national origin status may file a formal complaint with NDOT's Civil Rights Office. A copy of the Complaint Form may be accessed electronically at:

<https://www.nevadadot.com/home/showdocument?id=7710>

Title VI Complaint Reporting

The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.

The complaint must be written and signed by the complainant and shall include:

- The Complainant(s) name, address and phone number;
- A detailed description of the alleged incident that led the complainant to believe discrimination occurred;
- The date of the alleged act of discrimination, the date when the complainant(s) became aware of the alleged discrimination, the last date of the conduct or the date or the date the conduct was discontinued;
- The names and job titles of those parties involved in the complaint;
- The facts and circumstances surrounding the alleged discrimination and the basis of the complaint (i.e., race, color, national origin, sex, age, disability, income status or retaliation);
- Names and contact information of persons whom the investigator can contact for additional information to support or clarify the allegations; and
- The corrective action being sought by the complainant.

Complaints may be filed by one of the following methods:

- By completing and signing the Complaint Form and delivering it in person or by mail;
- By emailing or faxing the Complaint Form and sending the signed original to the Civil Rights Officer (CRO); and

- By calling the CRO where information obtained will be used to complete the Complaint Form and, subsequently, forwarded to the complainant for review, signature and return.

Upon receipt of a completed complaint, the CRO will determine jurisdiction, acceptability or need for additional information and, within five days, acknowledge receipt of the complaint and the intended course of action.

- NDOT has sole authority for and will adjudicate all complaints filed against NDOT sub-recipients;
- Complaints against NDOT in USDOT funded programs will be referred to USDOT for processing; and
- Complaints under all other federally-funded programs fall under NDOT's authority and jurisdiction.

For acceptance, a complaint must be:

- Timely filed;
- Involve a covered basis (i.e., race, color, or national origin); and
- Within NDOT's authority.

Complaints may be dismissed if the complainant:

- Requests the withdrawal of the complaint;
- Fails to respond to repeated requests for additional information;
- Fails to cooperate in the investigation; or
- Cannot be located after reasonable attempts to reach the complainant have been made.

Upon accepting a complaint, the CRO investigator will:

- Provide the respondent an opportunity to respond to the allegations. The respondent will have 10 calendar days from the CRO's written notification to furnish a written response; and
- Determine if more information is needed to resolve a case and may contact the complainant who will then have 10 calendar days to provide additional information.

Within 45 days of accepting a complaint, an NDOT Investigator will:

- Gather all relevant information in a fair and impartial manner;
- Conduct interviews of all concerned parties; and
- Prepare a final investigative report with a recommended disposition.

Upon final determination, one of two letters will be issued to the complainant:

- A closure letter summarizing the allegations stating that there was no Title VI violation and that the case will be closed; or
- A Letter of Finding summarizing the allegations and the interviews regarding the alleged incident and explaining whether any additional action, additional training of the staff or other action will occur.

Complaints that fall under the jurisdiction of USDOT – NDOT CRO, will forward a copy of the complaint and preliminary finding to USDOT-HCR within 60 days. Once USDOT-HCR issues its final decision, it will notify NDOT and, NDOT will notify all parties involved.

All allegations of discrimination will be taken seriously and every effort will be made to provide a fair and unbiased determination. In instances where there is dissatisfaction with NDOT's determination, the complainant may file a complaint directly with the appropriate USDOT modality:

- US Department of Transportation, Federal Highway Administration, Nevada Division 705 N. Plaza Street #220, Ste. 220, Carson City, NV 89701;
- US Department of Transportation, Federal Highway Administration, Office of Civil Rights 1200 New Jersey Ave. SE, Washington, DC 20590;
- US Department of Transportation, Federal Aviation Administration 800 Independence Ave. SW, Washington, DC 20591;
- US Department of Transportation, Federal Motor Carriers Safety Administration 1200 New Jersey Ave. SE, Washington, DC 20590;
- US Department of Transportation, Federal Transit Administration FTA Office of Civil Rights, 1200 New Jersey Ave. SE, Washington, DC 20590; or
- US Department of Transportation, National Highway Traffic Safety Administration 1200 New Jersey Ave. SE, Washington, DC 20590.