

## TITLE VI COMPLAINT PROCEDURES

The complaint process provides aggrieved individuals a way to bring forth claims of discrimination regarding programs, activities, and services administered by the Regional Planning Commission of Greater Birmingham (RPCGB) or its subrecipients and funded through federal agencies, in accordance with Title VI of the Civil Rights Act of 1964, as amended.

Title VI §2000d states, “No person in the United States shall, on the ground 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.” Under Title VI, intentional discrimination, as well as disparate impact discrimination (i.e., neutral policy or practice that has a disparate impact on protected groups), is barred.

This process does not preclude staff of the RPCGB from attempting to informally resolve complaints. Intimidation or retaliation of any kind is prohibited by law. This process does not deny the right of a complainant to file formal complaints with other federal agencies or to seek private counsel for complaints alleging discrimination.

### Filing a Complaint

Any person who believes that he/she has been subjected to discrimination based on race, color, or national origin, or who believes he/she has been retaliated against because of filing a complaint of discrimination may file a written complaint.

A complaint must be submitted in writing and must be filed no later than 180 days after:

1. The date of alleged act of discrimination
2. The date when the person became aware of the alleged discrimination, or
3. Where there has been a continuing course of conduct, the date on which that conduct was discontinued, or the latest instance of the conduct.

Complaint forms are available at: [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility) or by contacting Laurel Land, Title VI Coordinator, at 205-264-8473 or email to [l.land@rpcgb.org](mailto:l.land@rpcgb.org). Signed complaint forms must be returned via email to: [l.land@rpcgb.org](mailto:l.land@rpcgb.org) or sent to:

Laurel Land  
Regional Planning Commission of Greater Birmingham  
Two 20<sup>th</sup> St N, Ste 1200  
Birmingham, AL 35203

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or limited English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

### Process

Within 10 days of receipt, the RPCGB will determine the validity and completeness of a complaint. If it is determined that the complaint warrants an investigation, the RPCGB will send a notice to the complainant by certified mail acknowledging the written complaint and advising of his/her rights under Title VI.

RPCGB will investigate and collect all available information to reach the most informed conclusion and resolution of the complaint.

- RPCGB may contact the complainant for more information to resolve the case
- The complainant has 15 days from the date of the letter to send requested information to the investigator.
- The RPCGB will investigate the allegations and issue a decision within 60 days of the date of receipt of a valid complaint

### **Notice of Determination**

The RPCGB will notify complainant, in writing via certified mail, of the result of the investigation. If the complainant wishes to appeal the decision, he/she has 15 days after the date of the notice of determination to do so. The notification will also include appeal rights.

### **Dismissal**

RPCGB will issue dismissal of a complaint for the following reasons:

1. Complaint was filed untimely
2. Complaint does not allege a basis covered by statutory authority
3. Complaint does not allege harm with regard to covered programs or statutes
4. Complainant requests withdrawal of the complaint
5. Complainant fails to respond to requests for information needed to process complaint or perform investigation
6. Complainant cannot be located after reasonable attempts
7. Complainant fails to accept a reasonable resolution (as determined by the appropriate federal agency)
8. Complainant has filed legal action with the same basis and issues involved in the complaint
9. Same complaint allegations were filed with another federal, state, or local agency

The complaint may be resubmitted provided it has not been more than 180 days since the date of the alleged discriminatory action.

The RPCGB will maintain a record of Title VI investigations, complaints, and lawsuits filed against it. To date, the RPCGB has not had a Title VI investigation, complaint, or lawsuit.