

## **Town of Schererville Title VI Complaint Procedures**

Complaint Procedure – Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, section 504 of the Vocational Rehabilitation Act of 1973, Americans with disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person.

It is the policy of The Town of Schererville to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint to the designated Title VI Coordinator. A complaint must include the name, address, and telephone number of the individual making the complaint (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Complaints should be directed to the Title VI Coordinator:

Myles Long  
10 East Joliet Street  
Schererville, Indiana, 46375  
(219) 322-2211 Ext. 1304  
TitleVI@schererville.org

Within 60 days of the receipt of the complaint the Town will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The Town will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation Indianapolis District

EEOC Office

101 West Ohio Street, Suite 1900

Indianapolis, IN 46204

Phone: (800) 669-4000

Fax: (317) 226-7953

TTY: 1 (800) 669-6820

Economic Opportunity Division

100 N. Senate Ave., Room N750

Indianapolis, IN 46204

Phone: (317) 233-6511

Fax: (317) 233-0891

Indiana Civil Rights Commission

100 N. Senate Ave., Room N103

Indianapolis, IN 46204

Toll Free: 1 (800) 628-2909

Phone: (317) 232-2600

Fax: (317) 232-6560

Hearing Impaired: 1 (800) 743-3336

## E. Complaint Processing

1. The Title VI Coordinator will review the complaint upon receipt to ensure that all required information is provided, the complaint **meets the filing deadline which is 180 days from the date the alleged discriminatory act occurred, and falls within the jurisdiction of the Town.**
2. **The Title VI Coordinator will investigate the complaint. If the complaint is against the Town, then the Town Council or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the Town Attorney.**
3. If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and or investigating agency.
4. The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator's name and will request that this party be available for an interview.
5. **Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator, the Town Manager, and the Town Council.**
6. Once the Town has investigated the report findings, the Town will adopt a final resolution.
7. All parties will be properly notified of the outcome of the Town's investigative report.
8. If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the Town's decision. **Appeals must be filled within 180 days after the Town's final resolution.** Unless new facts not previously considered come to light, reconsideration of the Town's determination will not be available.
9. The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled "Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes," available online at:  
<http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf>
10. Title VI Complaint Filing – Complaints filed with the Town of Schererville, Indiana, based on violations of the Title VI of the Civil Rights Act of 1964, must include the following information: name, address, and telephone number of the individual complaining (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

**11. Alleged Discrimination** – If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken:

- Race/Ethnicity/Color /Religion
- Age
- Disability
- National Origin
- Sex
- Income Status
- Signature of Complainant
- Date of Complaint
- Additionally, include an Explanation of Alleged Discrimination – Please explain as clearly as possible what happened. Provide the name(s) of witness(s) and other involved in the alleged discrimination. (Attach additional sheets if necessary and provide a copy of written material pertaining to your case).

**Note:** *The Town of Schererville prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the Title VI Coordinator if you feel intimidated or experience perceived retaliation in relation to filing a complaint.*

**12. Letter Acknowledging Receipt of Complaint** – Following receipt of the complaint alleging discriminatory actions/behavior, the Title VI Coordinator will send the complainant a letter acknowledging receipt by the Town of the complaint.

**13. Letter Notifying Complainant that the Complaint is Substantiated** – If, after investigation, the Town determines that the filed complaint alleging a Title VI violation has been substantiated, the Town shall notify the complainant of such determination and that the Town has implemented measures to correct the issue. Such notices shall also indicate that the complainant may be notified again by the Town or state or federal authorities if an administrative hearing process is initiated.

**14. Letter Notifying Complainant that the Complaint is Not Substantiated** – If, after investigation, the Town determines that the filed complaint alleging a Title VI violation has not been substantiated, the Town shall notify the complainant of such determination and that the Town is closing the file for this issue. Such notice shall also indicate that the complainant has the right to:

- i. Appeal within **seven (7) calendar days** of receipt of this final written decision from the Town, and/or
- ii. File a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5<sup>th</sup> Floor – TCR 1200 New Jersey Ave SE, Washington DC, 20590.

Title VI Complaint Forms are available online or at the Town Hall (10 East Joliet St.).