



## TITLE VI COMPLAINT PROCESS GUIDE: HOW TO SUBMIT A COMPLAINT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures “*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.*” Related federal statutes and state laws further those protections to include sex, disability, religion, sexual orientation, and age.

Any person who believes they has been discriminated against on the basis of race, color, or national origin by the California Department of Transportation may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The Office of Business and Economic Opportunity (OBEO) investigates complaints received no more than 180 days after the alleged incident. OBEO will process complaints that are complete.

Once the complaint is received, OBEO will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing them whether the complaint will be investigated by our office.

### *Complaints Filed Against Caltrans*

Written complaints filed with Caltrans in which Caltrans is named as the respondent will be forwarded to Federal Highway Administration (FHWA), or Federal Transit Agency (FTA), depending on who is the oversight agency, for investigation. The FHWA/FTA Title VI Specialist may conduct an independent evaluation regarding affected agency policy and may direct that actions be taken within the agency to address any policy deficiencies.

### *Complaints Filed Against a Subrecipient*

Written complaints filed with Caltrans in which a subrecipient is named as the respondent will be analyzed and investigated by the OBEO, after notifying and consulting with the Title VI Specialist. The Federal Program Manager or Title VI Specialist has the authority to assume direct responsibility for complaint investigation if warranted under the circumstances of an allegation. Either alternatively or as a supplement, the Specialist may forward a complaint against a subrecipient to the FHWA/FTA Division Office for consideration of possible federal-level investigation.

OBEO has 180 days to investigate the complaint. If additional time is needed, OBEO will call the complainant and inform them.

If more information is needed to resolve the case, the OBEO investigator may contact the complainant. The complainant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within ten business days, OBEO can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.



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OBEO will transmit to the complainant and the subrecipient one of the following three letters based on its findings:

- a. A letter of resolution that explains the steps the subrecipient has taken or promises to take to come into compliance with Title VI.
- b. A letter of finding that is issued when the subrecipient is found to be in compliance with Title VI. This letter will include an explanation of why the subrecipient was found to be in compliance and provide notification of the complainant's appeal rights.
- c. A letter of finding that is issued when the subrecipient is found to be in noncompliance. This letter will include each violation reference as to the applicable regulations, a brief description of proposed remedies, notices of the time limit on the conciliation process, the consequences of failure to achieve voluntary compliance, and an offer of assistance to the recipient or subrecipients in devising a remedial plan for compliance, if appropriate.

### *Appeal Rights*

Letters of finding and resolution will offer the complainant and the subrecipient the opportunity to provide additional information that would lead OBEO to reconsider its determinations. Parties named in the complaint should provide this additional information within 60 days of the date the letter of finding was transmitted. After reviewing this information, OBEO will respond 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. In the event that the complainant is not satisfied with the result, they may forward the complaint to the FHWA/FTA Division Office of Civil Rights. The allegation(s) will be analyzed by FHWA/FTA, and the complainant will be notified by FHWA/FTA of the status of the complaint.

A person may also file a complaint directly with the:

Caltrans  
Office of Business and Economic Opportunity  
1823 14<sup>th</sup> Street, Sacramento, CA 95811  
(916) 324-8379

Federal Transit Administration  
Civil Rights Division  
1200 New Jersey Avenue SE, Washington, DC 20590.

Federal Highway Administration  
Civil Rights Division  
1200 New Jersey Avenue, S.E., 8th Floor E81-314 Washington, DC 20590