



TITLE VI DISCRIMINATION COMPLAINT PROCESS: HOW TO FILE 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 law further those protections to include sex, disability, religion, sexual orientation, and age.

Any person who believes they has been discriminated against based on race, color, or national origin by Caltrans or a sub-recipient may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The Office of Civil Rights (OCR) processes complaints received no more than 180 days after the alleged incident. OCR will only process complaints that are complete, which include the complainant's contact information, details of the alleged discrimination, and the complainant's signature.

Once the Title VI complaint is received, OCR will determine which federal administering agency has jurisdiction to investigate/process the complaint.

Title VI Complaints Processed Under the Federal Highway Administration (FHWA)
Title VI complaints filed with Caltrans in which Caltrans is named as the Respondent will be forwarded to the FHWA Division Office. The Complainant will receive an acknowledgement letter informing them that the complaint has been received and forwarded to the FHWA.

Per the FHWA Guidance Memorandum, *Processing of Title VI Complaints*, dated June 13, 2018, all Title VI complaints received by a sub-recipient are to be forwarded to Caltrans to be submitted to FHWA Division Office. Complaints should be sent within one business day of receipt via email to Title.VI@dot.ca.gov. If Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.

Title VI Complaints Processed Under the Federal Transit Administration (FTA)
Title VI complaints filed with Caltrans in which Caltrans is named as the Respondent will be investigated by Caltrans. Per FTA, Title VI complaints are to be handled at the local level or elevated to FTA under egregious Title VI discriminatory circumstances. The Complainant will receive an acknowledgement letter informing them that the complaint has been received and whether the complaint will be investigated by Caltrans or forwarded to FTA.



Title VI complaints filed with Caltrans against a sub-recipient will be investigated by Caltrans. If the complaint is filed with the sub-recipient, the sub-recipient is responsible for investigating the complaint in accordance with [FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients](#).

FTA – Filing a Local Complaint

FTA recommends, but does not require, that individuals first file a complaint directly with their transit provider to give the provider an opportunity to resolve the situation. FTA grantees are required under the ADA, Title VI, and EEO to have local complaint procedures.

Caltrans OCR Investigation Process

If OCR is delegated the responsibility of performing an investigation, OCR has 90 days to investigate the complaint. If additional time is needed, OCR will call the Complainant and inform them.

If more information is needed to resolve the case, the OCR 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, OCR can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

OCR will consult with HCR regarding the disposition of the complaint. Disposition of Title VI complaint will be undertaken by HCR, through either (1) *informal resolution* or (2) *issuance of a Letter of Finding of compliance or noncompliance with Title VI*. A copy of the Letter of Finding will be sent to all parties via the Division Office.

A person may also file a complaint directly with:

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590



Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page:
<https://dot.ca.gov/programs/civil-rights/title-vi>.