

TITLE VI COMPLAINT PROCEDURES

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds 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 assistance.” The following complaint procedures are applicable to any individuals who believe that they have been subject to discrimination by Travelers Aid Society of San Diego, Inc. related to its *SenioRide*, *RIDEasy*, or *RIDEfinder* programs, which are funded in whole or in part by SANDAG. In general, these complaint procedures are designed to address disputes, including but not limited to the following:

- Disagreements regarding a requested service, accommodation, or modification of a Travelers Aid practice or requirement.
- Inaccessibility of a program, publication, or activity.
- Harassment or discrimination prohibited by California or federal law.

Preliminary Review Process:

The following process must be completed prior to filling a Formal Complaint with SANDAG:

- **Informal Resolution** – Prior to submitting a formal complaint, the complaining party shall contact the Travelers Aid President for assistance in resolving the matter informally as soon as is practical, within 15 calendar days of the time when the subject of the complaint occurred or the complaining party became aware of Travelers Aid’s alleged non-compliance with California or federal non-discrimination laws.
 - The President of Travelers Aid can be reached at 2615 Camino del Rio S., Suite #103, San Diego, CA. 92108; admin@travelersaidsandiego.org; (619) 295-8393.
 - Travelers Aid will notify SANDAG of the complaint within 72 hours of receiving the complaint, having made a record of the complaint, and will notify SANDAG of the steps taken toward resolution. Travelers Aid is responsible for informing the complainant about its complaint procedures, including the opportunity to file a formal complaint with SANDAG and/or the Federal Transit Administration (FTA)
 - Travelers Aid will mail or email SANDAG and the complaining party the results of the informal resolution process within 30 calendar days after receiving the complaint. If the complaining party is not satisfied with Travelers Aid’s disposition of the matter, he or she may file a formal complaint with SANDAG.

Formal Complaint:

If the procedure for Preliminary Review and Informal Resolution by Travelers Aid does not yield a successful resolution, the complaining party may file a formal, written complaint with SANDAG in the manner described below. SANDAG materials can be made available in

alternative languages. To make a request, call (619) 699-1900. Los materiales de SANDAG estan disponibles en otros idiomas. Para hacer una solicitud, llame at (619) 699-1900.

- Complaints must be filed within 180 days of the alleged incident at the end of the Preliminary Review process described above.
- Complaints must be in writing and must include an attached copy of any correspondence concerning the complaint with Travelers Aid.
- Complaints must be filed with the SANDAG Title VI Compliance Officer at 401 B Street, Suite 800, San Diego, CA 92101; Fax # (619) 699-1995; TTY (619) 699-1904.
- The SANDAG Title VI Compliance Officer will initiate an investigation, which may include interviewing, consulting with, and/or requesting a written response to the issues raised in the complaint from any individual the SANDAG Title VI Compliance Officer believes to have relevant information, including the ADA Compliance Officer, Travelers Aid staff and members of the public. SANDAG may also hold an informal hearing.
- The SANDAG Title VI Compliance Officer will Convene a review panel that will consist of the Title VI Compliance Officer, the ADA Compliance Officer if applicable, a member of the SANDAG management staff, the Chief Deputy Executive Director (or designee), and other personnel as may be appropriate. This panel will review the request, investigate, and attempt to resolve the issues within 30 calendar days of receipt by SANDAG of the complaint.
- The complaining party, and any party against whom the complaint is directed, have the right to have a representative.
- The SANDAG Title VI Compliance Officer and/or ADA Compliance Officer will prepare and provide the complaining party, and all other parties involved, a final report containing a summary of the investigation, written findings, and a proposed disposition. The report will be provided to the complaining party and Travelers Aid within 45 calendar days of the filing of the formal complaint.
- The disposition proposed by the review panel will be put into effect promptly. The complaining party or any party against whom the complaint or the proposed disposition is directed may appeal. The appeal to the Executive Director (outlined below) will not suspend the implementation of the disposition proposed by the SANDAG review panel, except in those circumstances where the SANDAG Executive Director decides that good cause exists making the suspension of implementation appropriate.

Appeal:

Within 10 calendar days of the issuance of the final report, the complaining party may appeal to the SANDAG Executive Director.

- An appeal is taken by filing a written request for review by the SANDAG Executive Director.
- The written request must specify the particular substantive, and/or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. The appeal must only be directed to issues raised in the formal

complaint as it was filed or to procedural errors in the conduct of the complaint procedure. No new issues may be raised.

- The review shall be limited to the following considerations:
 - Were the proper facts and criteria considered for the decision?
 - Were improper or extraneous facts or criteria considered for the decision that substantially affected the decision to the detriment of the complaining party?
 - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the complaining party?
 - Given proper facts, criteria, and procedure, was the decision one that a person in the position of the decision-maker might reasonably have made?
- A copy of the Executive Director's written decision will be expected within 30 calendar days of the filing of the appeal and will be sent to all parties involved. This deadline may be extended by the Executive Director for good cause. The decision on the appeal will be SANDAG's final decision.

Filing a Complaint with the Federal Transit Administration:

Any individual who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI may also file a written complaint with the FTS. A complaint should be filed no later than 180 days after the date of the alleged discrimination. Title VI complaints regarding federally funded program at Travelers Aid can be filed by filling out a Title VI complaint form and mailing it to:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

The complaint form may be downloaded from FTA's website.

Go to <http://www.fta.dot.gov/civilrights/title6/civilrights5104.html> for more information