

Title VI Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Town of Gibsonville (hereinafter referred to as “the Town”) may file a Title VI complaint by completing and submitting the Town’s Title VI Complaint Form. The Town investigates complaints received no more than 180 calendar days after the alleged incident. The Town will process complaints that are complete.

Once a complaint is received, the Town will review it to determine if it has jurisdiction. When a complaint is received by the Town, it will provide written acknowledgment to the complainant within 10 calendar days of receipt of the complaint. The Town will also inform the complainant in the acknowledgement letter whether the complaint will be investigated by the Town.

The Respondent(s) (the person(s) against whom the complaint was filed) will be notified by mail that he/she has been named in a complaint and informed of his/her rights under Title VI and related statutes. This letter also identifies the investigator’s name and informs the respondent that he/she will be contacted for an interview.

The Town has 60 calendar days to investigate the complaint. If more information is needed to resolve the case, the Town may contact the complainant. The complainant has 15 calendar days from the date of the Town’s letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or the Town does not receive the additional information within 15 calendar days, the Town can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case. In the event that an extension of the 60-day investigation period is needed, the Town will notify the complainant of the extension and provide an anticipated date upon which the investigation will be completed.

INVESTIGATION

The investigator shall prepare an investigative plan that captures, but is not limited to the following:

- Complainant(s) name and address;
- Respondent(s) name and address;
- Contract number (or project number) and contractor and/or subcontractor name(s), if applicable;
- Applicable law(s);
- Basis for the complaint;
- Allegations, events or circumstances that caused the person to believe he/she has been subjected to discrimination;
- Appropriate information needed to address the issue;
- Name of persons to be interviewed and issues of which they have first-hand knowledge;
- Questions for the complainant, respondent, witness(es), etc.;
- Evidence to be obtained during the investigation; and

- Remedy sought by the complainant.

The investigation will address only those issues relevant to the allegations in the complaint.

- Confidentiality will be maintained to the fullest extent possible.
- Interviews will be conducted to obtain the facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case that the witness can provide firsthand information.
- Interviews may be recorded. Consent to record may be required if the interviewee is located outside of NC.
- A chronological contact sheet shall be maintained in the case file throughout the investigation.
- The interviewee may have representation of his/her choice at the interview.

After reviewing the complaint, and the facts and evidence gathered during the investigation, the investigator will issue one of two letters to the complainant: a closure letter or a letter of finding (a "LOF"). A closure letter summarizes the allegations, states that there was not a Title VI violation, specifically states the reasons for the decision, states that the case will be closed, and notifies the complainant of their options to appeal the decision. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 20 calendar days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.