

# City of Devils Lake

## TITLE VI COMPLAINT PROCEDURE

### SCOPE OF TITLE VI COMPLAINTS

The scope of Title VI covers all external City of Devils Lake activities. Adverse impacts resulting in Title VI complaints can arise from many sources, including advertising, bidding, and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with the City of Devils Lake for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.

Complaints can originate as a result of project impacts on individuals or groups. For example, social and economic, traffic, noise, air quality, access, accidents, and failure to maintain facilities.

### FORMAL TITLE VI COMPLAINT PROCEDURE

The City of Devils Lake Title VI Policy assures that no person or groups of persons shall, on the grounds of race, color, national origin, sex, age, disability/handicap, and income status\*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the City of Devils Lake, its recipients, subrecipients, and contractors. In addition, Executive Order 12898 (Environmental Justice) prohibits discrimination based on income status.

The City of Devils Lake uses the following procedure for prompt processing of all Title VI complaints received directly by it.

- a. Any person or groups of persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through a legally authorized representative, make and sign a complaint form and file the complaint with the City of Devils Lake. Allegations received do not have to use the key words "complaint," "civil rights," "discrimination," or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of the City of Devils Lake programs for it to be considered and processed as an allegation of a discriminatory practice.
- b. The complaint **must** be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination. The City of Devils Lake's Title VI Complaint Form **must** be used.
- c. The complaint may also be filed with the U.S. Department of Transportation, Office of the Secretary, 1200 New Jersey Avenue, SE (S-33), Washington, D.C.

20590. The complaint **must** be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of the U.S. Department of Transportation.

- d. Within **two days of receipt** of a Title VI complaint, the City of Devils Lake **forwards the complaint to the Civil Rights Division of the North Dakota Department of Transportation (NDDOT).**
- e. **NDDOT provides the Federal Highway Administration (FHWA) Bismarck Division Office the complaint within two days of receipt. FHWA determines the correct agency for review. It could be FAA, FHWA, FTA, NDDOT, NHTSA, etc. That agency makes the final decision and communicates directly with the person filing the complaint.**

\*Title VI of the Civil Rights Act of 1964 governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

**TITLE VI COMPLAINT FORM**

For instructions see page 2  
(03-2012)

City of Devils Lake  
423 6th Street NE PO Box 1048  
Devils Lake, ND 58301

**PART I - COMPLAINANT INFORMATION** (Print all items legibly.)

|                 |       |               |
|-----------------|-------|---------------|
| Name            |       | Telephone     |
| Mailing Address |       | Email Address |
| City            | State | Zip Code      |

**PART II - CAUSE OF DISCRIMINATION BASED ON** (Check appropriate box[es].)

- Race   
 Color   
 National Origin  
 Sex   
 Age   
 Disability/Handicap   
 Income Status

**PART III - THE PARTICULARS ARE** (Include names, dates, places, and incidents involved in the complaint.)  
(If additional space is needed, attach extra sheet[s].)

**PART IV - REMEDY SOUGHT** (State the specific remedy sought to resolve the issue[s].)

**PART V - VERIFICATION**

Complainant's Signature \_\_\_\_\_ Date \_\_\_\_\_

### SUBRECIPIENT INSTRUCTIONS

|                         |  |   |                             |          |
|-------------------------|--|---|-----------------------------|----------|
| Name of Subrecipient    |  | Name of Subrecipient's Title VI Coordinator |                             |          |
| Street Address/P.O. Box |  | City  | State                       | Zip Code |
| Telephone Number        | Relay North Dakota Telephone Number<br>711 or 1-800-366-6888 |   | Text Telephone Number (TTY) |          |

#### General

1. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or group(s) of persons shall, on the grounds of race, color, national origin, sex, age, disability/handicap, or income status\*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the City of Devils Lake \_\_\_\_\_. Any person or group(s) of persons who feel they have been discriminated against may file a complaint.
2. Instructions provided within this form are not meant to be all inclusive. Complainants are responsible for all procedural requirements.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the City of Devils Lake \_\_\_\_\_ Title VI Complaint Procedure.
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries on how to complete this form should be directed to the contact listed above.

#### Part I

Complete all information in this section.

#### Part II

Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories.

#### Part III

State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

#### Part IV

State the minimum remedy acceptable for resolution of this complaint.

#### Part V

Sign and date this section to verify the information contained in Parts I through IV.

**Title VI Complaints are filed according to the Title VI Complaint Procedure.**

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