

## **SPRINGFIELD REDEVELOPMENT AUTHORITY**

### **TITLE VI COMPLAINT PROCEDURES**

This section outlines the Title VI complaint procedures related to providing programs, services and benefits. This document does not however, deny the complainant the right to file a formal complaint with the Massachusetts Commission Against Discrimination (MCAD) or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 and its amendments prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive federal financial assistance. Two Presidential Executive Orders and related statutes further define populations that are protected under the umbrella of Title VI: Executive Order 12898, which is concerned with environmental justice (EJ) for minority and low-income persons; and Executive Order 13166, which is concerned with providing equal access to services and benefits for those individuals with Limited English Proficiency (LEP).

The purposes of Title VI includes preventing the denial, reduction or delay of federally supported benefits to minority and low-income persons; ensuring full and fair public participation in the transportation planning processes; and ensuring that the policies and programs do not have disproportionately adverse effects on minority and low-income persons.

To comply with 49 CFR Section 21.9(b), the Springfield Redevelopment Authority maintains the following procedure to receive, review, resolve and track complaints related to Title VI.

#### **How to Submit a Complaint**

Any person who believes that he or she or any specific class of persons has been subjected to discrimination that is prohibited by Title VI of the Civil Rights Act of 1964, its amendments and related statutes, by the Springfield Redevelopment Authority in its role as a recipient of federal funds may submit a written complaint. Complaints may be submitted for discrimination on the basis of race, color, national origin or language. Any such complaint shall be submitted no later than 180 days after the date the person believes the discrimination occurred. Complaint forms can be obtained through the Title VI Coordinator or online at [www.springfield-ma.gov/planning/480.0.html](http://www.springfield-ma.gov/planning/480.0.html). Written complaints shall be submitted to:

Mrs. Amanda Pham, Title VI Coordinator  
Springfield Redevelopment Authority  
70 Tapley Street  
Springfield MA 0110

#### **GENERAL**

Any person who believes that he or she, individually, or as a member of a specific class of persons, has been subjected to discrimination on the basis of race, color, national origin as noted below may file a written complaint with the Springfield Redevelopment Authority's Title VI office, at 70 Tapley St., in Springfield, MA. Complainants have the right to complain directly to the appropriate federal agency.

Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Director/Coordinator may be utilized for resolutions.

## **PROCEDURE**

1. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s). In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI coordinator will interview the complainant and assist the person in converting verbal complaints into writing. All complaints must, however, be signed by the complainant or his/her representative.
  - b. Include the date of the alleged act of discrimination date when complainants became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.
  - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
  - d. Federal and State law requires complaints to be filed within 180 calendar days of the alleged incident; See Complaint Form Attached.
2. Upon receipt of the complaint, the SRA's Title VI coordinator will determine its acceptability, jurisdiction and need for additional information as well as assign the complaint to a specialist to determine the merit of the complaint.
3. The complainant will be provided a written acknowledgement that the SRA has either accepted or rejected the complaint, within 10 days of receipt.
4. A complaint must meet the following criteria for acceptance;
  - a. Be filed within 180 days of the occurrence
  - b. Must involve a covered basis such as race, color or national origin
  - c. Must involve an SRA service of Federal Aid recipient, sub-recipient or contractor.
5. A complaint may be dismissed for the following reasons;
  - a. The complainant requests the withdrawal of complaint.
  - b. The complainant fails to respond to repeated requests for additional information required to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.
6. Once the SRA decides to accept the complaint for investigation, the complainant will be notified in writing of such determination. The complainant will receive a case number and will then be logged into a database identifying:
  - Name, address, and phone number of the complainant.
  - A statement of the complainant, including:
    - The basis of the alleged discrimination (race, color, national origin, or language).
    - A detailed description of the alleged discriminatory act(s).

- What in the nature of the alleged act(s) led the complainant to feel that discrimination was involved?
- The date(s) on which the alleged discriminatory act(s) occurred.
- The name(s) of individual(s) alleged to have participated in the act(s).
- The names of all other agencies or organizations where the complaint is also being filed (if applicable).
- The signature of the complainant and date submitted.

7. In cases where the SRA assumes the investigation of the complaint and within 90 calendar days of the acceptance of the complaint, the SRA's Title VI Coordinator will prepare an investigative report for review by the SRA's Executive Director and Board. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.

8. The investigative report will be reviewed by the Executive Director and if necessary, the SRA Governing Board, and in some cases the SRA's Legal Counsel. The report will be modified as needed.

9. The Executive Director and Legal Counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follow:

- a. In the event the SRA is in noncompliance with Title VI regulations remedial actions will be listed.

10. A notice of the Director's determination will be mailed to the complainant. Notice shall include information regarding appeal rights and instructions for initiating such an appeal. Notice of appeals are as follows:

- a. SRA will reconsider determination, if new facts come to light.
- b. If complainant is dissatisfied with determination and/or resolution set forth by the SRA, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the FTA Region 1, Office of Civil Rights, 55 Broadway, Suite 920, Cambridge, MA 02142, telephone (617) 494-2397.

11. A copy of the complaint and the SRA's investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the complaint.

12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

## **RECORDKEEPING REQUIREMENT**

The SRA Title VI Coordinator will maintain a log of Title VI complaints received along with other departmental records. This log will be available for public review and compliance review audits at the offices of the Springfield Redevelopment Authority, 70 Tapley Street, Springfield MA 01104, during business hours.

**SPRINGFIELD REDEVELOPMENT AUTHORITY'S  
DISCRIMINATION COMPLAINT FORM**

|  |  |                              |  |                                   |
|--|--|------------------------------|--|-----------------------------------|
| Name:  | Telephone (day):                                       | Telephone (alt):             |  |                                   |
| Address:   | City, State, Zip Code:                                 |                              |  |                                   |
| Name of Person that You Believe Discriminated Against You:   |  |                              |  |                                   |
| Address:   | City, State, Zip Code:                                 |                              |  |                                   |
| Date of Alleged Incident:  |  |                              |  |                                   |
| You were discriminated against because of:   |  |                              |  |                                   |
| <input type="checkbox"/> Race  | <input type="checkbox"/> Color                         | <input type="checkbox"/> Age | <input type="checkbox"/> Family Status | <input type="checkbox"/> Religion |
|  | <input type="checkbox"/> National Origin<br>(Language) | <input type="checkbox"/> Sex | <input type="checkbox"/> Disability    | <input type="checkbox"/> Other    |
| <p>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case, including contact information for any witnesses to the complain herein.</p> |  |                              |  |                                   |
| Signature:   |  |                              | Date:                                  |                                   |