



# City of Crossville, Tennessee

## Title VI Complaint & Hearing Procedure

The complainant calls or comes in with a complaint. The complaint should include the name, address, phone number and signature of complainant. A formal complaint should describe the alleged discriminatory act that violates Title VI in detail. The complaint must be filed with the City Clerk within 180 calendar days of the alleged incident.

**Complaints filed against the City of Crossville as a sub-recipient of federal or state funding: Log and forward to the Tennessee Department of Transportation (TDOT) or the agency having jurisdiction within 3 business days.**

**Complaints filed against contractors, sub-contractors, etc. of the City of Crossville will be processed and investigated by the City of Crossville.**

### **GUIDELINES FOR PROCESSING COMPLAINTS**

1. Maintain a log of all complaints and appeals.
2. Forward an initial report to the agency having jurisdiction within seven (7) working days.
3. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official, including the name and telephone number of the Title VI officer assigned to investigate the complaint.
4. The investigating officer will initiate the investigation by first contacting the complainant by telephone within three (3) workdays of receiving the assignment to set up an interview.

The complainant will be informed that they have a right to have a witness or representative present during the interview and to submit any documentation he/she perceives as relevant to proving his/her complaint

5. The alleged discriminatory sub-contractor official will be given the opportunity to respond to all aspects of the complainant's allegations.
6. The investigating officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
7. The investigating officer will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement.
8. The investigation will be completed and a final report will be sent to the agency having jurisdiction, the alleged discriminatory sub-contractor, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:
  - a. the written complaint containing the allegation, basis, and date of filing
  - b. summarized statements taken from witnesses
  - c. finding of facts
  - d. opinion (based on all evidence in the record) that the incident is substantiated or unsubstantiated
  - e. remedial action(s) for substantiated cases
9. If corrective action(s) is recommended the alleged discriminatory sub-contractor will be given thirty (30) calendar days to inform the Title VI Officer of the actions taken for compliance.
10. Corrective actions can be in the form of actions to be taken at a future date, after the initial thirty (30) days, with projected time period(s) in which action will be completed. All corrective actions must be made within sixty (60) days from the date of the actual recommendation.
11. If the recommended corrective action(s) have not been taken within the sixty (60) day time period allowed, the sub-contractor will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to the agency having jurisdiction for enforcement action.

12. Appeals Procedures:

- a. The complainant has the right to appeal all written reports to the agency having jurisdiction
- b. This appeal must be made in writing to the Title VI Director for the agency having jurisdiction within fourteen (14) days of receipt of the City of Crossville's final report.
- c. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for disagreement.
- d. The Title VI Director will forward this appeal within seven (7) days to the Title VI Advisory Board for review.
- e. The Board's review of the finding will be based on the entire record.
- f. The Board must complete the appeal review thirty (30) calendar days after receipt of the appeal.
- g. The Board will forward their written findings to the complainant and the Commissioner.

