

VI. Title VI Compliance Review Process

Once formally adopted, the Town of Danville will provide an internal assessment of its Title VI compliance efforts.

VII. External Complaint Process

The Town of Danville will promptly investigate all properly submitted complaints of alleged discrimination. The Town of Danville will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint.

A. Complaint Investigation Procedures

The Title VI and ADA Coordinators will make a determination to accept, reject, nor refer to the appropriate agency a complaint within seven working days of its receipt. The Town of Danville will determine whether the person or entity purportedly engaged in the alleged discriminatory act as a sub-recipient of federal funds. If the complaint does not specifically mention that the alleged discriminatory actor is a sub-recipient of federal funds, the Town of Danville may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statutes, regulations and directives; the Americans with Disability Act of 1990, as amended; and Section 504 of the Vocational Rehabilitation Act of 1973. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant.

The Town of Danville will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The Town Manager may exercise the option of informal resolution at any stage of the process.

B. Who May File a Complaint?

Any person who believes that he or she has been excluded in participation in, denied the benefits of, or otherwise subjected to discrimination under any Town of Danville service program, or activity whether federally funded or not, based on their race, color, national origin, gender, age, disability, religion, ancestry, income status, or Limited English Proficiency may file a complaint. A complainants representative may also file a complaint on the behalf of such a person.

C. Timeliness of Complaints

For a complaint to be considered timely, it must be filed within 180 calendar days after the alleged incident has occurred. The file date of a complaint is the earlier of the postmark or date received by the Town of Danville.

D. Location/Availability of Complaint Forms

The Town of Danville will make complaint forms available online via the Town website. Additionally, persons may contact the Title VI or ADA Coordinator to request a copy of the complaint form via email, facsimile, or US mail. Copies of complaint forms in alternative formats are available upon request.

E. How to File a Complaint

A complainant may file his or her complaint by mail, facsimile, or email. Any person with a disability may request to file his or her complaint using an alternative format. The Town of Danville will acknowledge complaints received by fax or email and will process them once the Town of Danville established the identity of the complainant. Complainants must mail a signed, original copy of the fax or email transmittal to the Town of Danville to begin the complaint process. The Town of Danville does not require a complainant to use the Town complaint form for submitting his or her complaint.

Direct Title VI Complaints to:
Julie A. Cooney
Title VI Coordinator
1010 E. Broadway Street
Danville, IN 46122
jcooney@danvilleindiana.org
(317) 745-5970 ext. 5971

Direct ADA Complaints to:
Robert L. Roberts
ADA Coordinator
1010 E. Broadway Street
Danville, IN 46122
rroberts@danvilleindiana.org
317-745-5970 ext. 5972

F. Elements of a Complete Complaint

A complete complaint is written and signed. Verbal complaints must be reduced to writing and provided to the complainant for confirmation, review, and signature before processing. The complaint form is available in the appendix of this report and on the Town's website.

Additionally, a complete complaint is filed within 180 calendar days of the alleged discriminatory act(s) and include at a minimum the following information:

- The full name and address of the complainant
- The full name and address of the respondent, the individual, agency, department, or program that allegedly discriminated against complainant; and
- A description of the alleged discriminatory act(s) that violated the Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age, or disability) and the date of occurrence.

The following items are not acceptable as a complete complaint:

- Anonymous complaints
- Inquiries seeking advice or information
- Newspaper articles
- Courtesy copies of court pleadings
- Courtesy copies of complaints addressed to other agencies
- Courtesy copies of internal grievances
- Oral complaints

The Title VI or ADA coordinator shall notify the complainant in writing if his or her complaint is incomplete and allot 15 calendar days for the complainant to respond and provide the supplemental information needed to complete the complaint.

G. Processing Complaints

The Title VI and ADA Coordinator will process all complaints and will:

- Maintain a log of all complaints
- Acknowledge receipt of a complaint and inform the complainant of the action taken or proposed action to be taken to process the complaint
- Inform respondent of allegations and request a position statement and response to all aspects of the complainant's allegations
- Coordinate investigation and assign a staff member to the case
- Contact the complainant at the conclusion of the investigation

H. Corrective Action

If the Town of Danville recommends corrective action, the Town will give the respondent 30 calendar days to inform the Town of the actions taken for compliance. The Title VI or ADA Coordinator shall monitor the respondent's corrective action compliance.

Corrective action may include actions that the respondent will complete at a future date of the initial 30 days and must include project time in which the respondent will complete the action.

If the respondent has not taken the recommended corrective action within the 30-day period allowed, the Town of Danville will find the respondent to be in noncompliance with Title VI and its implementing regulations. Noncompliance not corrected by informal means as described above may be subject to sanctions as per 49 CFR 21.13.