

Appendix C

Title VI Complaint Procedures

Any person who believes that he or she or they, individually, or as a member of any specific class of persons, have been subjected to discrimination on the basis race, color, national origin, age, disability, low income, limited English proficiency, or reprisal or retaliation for prior civil rights activity may file a complaint with the Mount Ascutney Regional Commission (MARC).

The mailing address for written complaints is as follows:

Logan Nicoll, Title VI Coordinator
Mount Ascutney Regional Commission
P.O. Box 320
Ascutney, VT 05030

Complaints may also be submitted by telephone or fax. Contact numbers are as follows:

Phone: (802) 674-9201 #117
Fax: (802) 674-5711

Electronic submission of complaints is also permitted. All complaints related to Title VI discrimination should be addressed to: Logan Nicoll, Title VI Coordinator at lnicoll@marcvt.org.

The complainant must sign written or faxed complaints. Complaints submitted by telephone or email, or unsigned written or faxed complaints, must be followed by a complaint in writing, signed by the complainant or their representative within ten business days of the initial verbal/electronic/unsigned complaint. The complainant may use the provided Title VI Complaint Form (see attached APPENDIX D) but is not required to do so. If the complainant requires assistance to submit a written document, MARC staff will interview the complainant and assist the person in converting verbal complaints to writing. This document must be signed by the complainant or their representative. Federal and state law require that the complaint be filed within 180 days of the alleged incident of discrimination.

Once the complaint has been submitted in writing, the MARC will pursue the following steps in addressing the complaint:

1. MARC staff will promptly initiate a review of the Title VI Complaint.
2. The completed Title VI Complaint Form, along with the initial complaint letter and a summary of any other communication, will be submitted to the Executive Director of the MARC for review. The Executive Director will determine the jurisdiction and acceptability of the complaint and any need for additional information. After any additional information is procured, the Director will determine whether to accept or reject the complaint.
3. The complainant will be provided with a written notification that the MARC has either accepted or rejected the complaint.
4. A complaint may be rejected for one or more of the following reasons:
 - a. More than 180 days passed between the alleged incident and the filing of the initial complaint;
 - b. The allegation does not involve a basis covered under Title VI, such as race, color, or national origin;
 - c. The allegation does not involve the MARC or one of its subrecipients of federal funds;
 - d. The complainant fails to respond to repeated requests for additional information needed to process the complaint; or
 - e. The complainant cannot be located after reasonable attempts.
5. An accepted complaint will be assigned a case number and be logged in a database maintained by the MARC identifying the complainant's name, date of incident, alleged harm, and the race, color, national origin, gender, age or disability of the complainant.
6. The Title VI Coordinator will initiate an investigation of the complaint, assisted by other members of the MARC as necessary, and complete a report within 90 days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of the persons interviewed, findings, and recommendations for disposition.
7. The report will be reviewed by the Executive Director of the MARC and referred to legal representation, if deemed appropriate. The Executive Director will accept or reject the recommendation for disposition, in consultation with legal representation, and if the individuals involved are found to be in noncompliance with Title VI, remedial actions will be determined.
8. The results of the investigation and the Executive Director's determination will be mailed to the complainant. Notice shall include information regarding the appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
 - a. MARC will reconsider the determination if new facts come to light.
 - b. If the complainant is dissatisfied with the determination and/or resolution set forth by the MARC, the same complaint may be submitted to the Vermont Agency of Transportation (VTrans) for investigation. Complainant will be advised to contact the Vermont Agency of Transportation, Office of Civil Rights & Labor Compliance, One National Life Drive, Montpelier, VT 05633-5001.
9. A copy of the complaint and MARC's investigation report, letter of finding and remedial action plan will be submitted to VTrans within 120 days of the initial receipt of the complaint.
10. A summary of the complaint resolution will be added to the database at MARC and this information will be included as part of the next Title VI update to VTrans.