

**Montachusett Regional Planning Commission
And
Montachusett Metropolitan Planning Organization
Title VI Complaint Procedure**

Title VI of the Civil Rights act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal assistance. In addition to Title VI nondiscrimination provisions on race, color and national origin, the MRPC also prohibits discrimination on the basis of age, family status, religion, retaliation, language, sex and disability. As a sub-recipient of the Massachusetts Department of Transportation (MassDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), the Montachusett Regional Planning Commission (MRPC) has adopted a Title VI Complaint Procedure as part of its Title VI Program. . MRPC also serves as staff for the Montachusett Metropolitan Planning Organization (MMPO). Therefore, this Title VI Complaint Procedure is also utilized by the MMPO.

The purpose of Title VI is to prevent the denial, reduction or delay of benefits to minority and low income populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the MRPC and the MMPO avoid producing disproportionately negative effects on minority and low income populations.

Filing of Complaints

Complainants, or their representative, may file a written complaint with the MRPC or the MMPO at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. Assistance will be made available to complainants who are unable to produce and submit a written complaint on their own.

Complaints shall state the name and address of the person, and if applicable, the name of the representative filing on behalf of the complainant, the name and address of the entity alleged to have committed the act of discrimination, and shall set forth the particulars of that action and contain such other information as shall be required by the MRPC or the MMPO.

All complaints will include the following information:

- Name, address, and phone number of the Complainant
- Name address, phone number and relationship of representative to complainant, (if applicable)
- Basis of complaint (i.e. race color, national origin)
- Date of alleged discriminatory act(s)
- Date complaint received by the MRPC or the MMPO
- A statement of the complaint, including specific details, relevant facts and documentation.

Tracking System

The Montachusett Regional Planning Commission will maintain a Complaint Intake Log for the MRPC and the MMPO of all complaints received establishing the race, color, or national origin or protected class of the complainant, the identity of the recipient, the nature of the complaint, the date of the investigation, lawsuit, or complaint, a summary of the allegations, the status of the

investigation, lawsuit or complaint, and actions taken in response to the investigation, lawsuit or complaint. This log will be maintained electronically and in hardcopy format at the MRPC offices.

Procedure of Investigation of Complaints

Within fifteen (15) days, the MRPC and/or the MMPO shall confirm receipt of the complaint and inform the Complainant of the investigation process. MRPC will also engage MassDOT's Office of Diversity and Civil Rights (ODCR) beginning a "check in" stage. This will allow ODCR to contact the appropriate federal agency, if needed, in order to make a jurisdictional determination and assign the obligation to conduct an investigation and issue findings.

Within sixty (60) days, should the complaint have merit, the MRPC and/or the MMPO shall commence an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, the MRPC and/or the MMPO will render a recommendation for action in a report of findings or resolution.

Within ninety (90) days, the MRPC and/or the MMPO will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the MassDOT's Title VI Coordinator, if they are dissatisfied with the final decision rendered by the MRPC and/or the MMPO.

Resolution of Complaints

If a probable cause of discriminatory practice based on race, color, or national origin is found to exist, the MRPC and/or the MMPO shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Action Plan shall include: a list of corrective actions accepted by the agency; a description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Highway Administration or the Federal Transit Administration as cited in FTA C4702.1A.