



**TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS
San Miguel County Commissioners Office, Colorado (SMCCO)**

Public Notice of Right to Equal Service

The following statement shall be posted in conspicuous and accessible locations at all San Miguel County offices, on the County website (www.sanmiguelcountyco.gov); permanently displayed on public transit vehicles; and other appropriate materials made available to the public: (*Documents will be translated into languages other than English, upon request.*)

NOTICE OF EQUAL SERVICE

San Miguel County and its employees have committed to operate in a manner that does not discriminate on the basis of race, color or national origin. No person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any service, program, or activity.

To learn more about the County's non-discrimination obligations under Title VI of the Civil Rights Act of 1964 or to file a complaint of discrimination, contact:

*San Miguel County Commissioner's Office
P.O. Box 1170 / 333 West Colorado Ave. 3rd Floor
Telluride CO 81435-1170
970-728-3844*

San Miguel County and its employees have also committed to assisting individuals who are Limited English Proficient (LEP). Translation services to assist LEP individuals are available, upon request.

San Miguel County Commissioner's Office Title VI policy, complaint procedures and LEP Plan are available upon request by calling 970-728-3844 or emailing ninak@sanmiguelcountyco.gov. For Federal Title VI information, please contact the Federal Transit Administration (FTA), Region 8 at 720-963-3300. Federal Title VI information, including filing complaints, can also be accessed on the FTA web site at: www.fta.dot.gov.

Title VI Information, Limited English Proficient (LEP) Information and Complaint Process

The SMCCO grants all persons equal access to all its public transportation services. It is further the intent of the SMCCO that all persons are aware of their rights to such access. This is designed to serve as an educational tool for all persons so that they may understand one of the civil rights laws that protect their benefit of the SMCCO programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

What is LEP?

As part of Title VI requirements, the SMCCO has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to SMCCO services as required by Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 Fed. Reg. 50121 (August 16, 2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

SMCCO Complaint and Investigation Procedures

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by the SMCCO.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints. The option of informal mediation meeting(s) between the affected parties and the SMCCO may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Title VI complaints:

- (1) A formal complaint must be **filed within 180 calendar days of the alleged occurrence**. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

The preferred method is to file your complaint in writing using the **SMCCO Title VI Complaint Form** (attached), and sending it to:

Board of County Commissioner's Office
San Miguel County
P.O. Box 1170 (333 West Colorado Avenue, 3rd Floor)
Telluride, CO 81435-1170
Phone: 970-728-3844
Facsimile: 970-728-3718

- (2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the SMC Title VI Coordinator in the Commissioner's Office. Under these circumstances, the complainant will be interviewed and given assistance in converting the verbal allegations to writing.
- (3) When a complaint is received, the SMC Title VI Coordinator will provide written acknowledgment of receipt to the Complainant, within fourteen (14) calendar days by certified mail.
- (4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be given sixty (60) calendar days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- (5) Within twenty (20) calendar days from receipt of a complete complaint, the SMCCO will determine jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within seven (7) calendar days of this decision, the SMC Title VI Coordinator or his/her authorized designee will notify the Complainant, by certified mail, informing them of the decision.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

- b. If the complaint is to be investigated, the notification shall inform the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) The Complainant shall be advised in writing he/she has the right to file a complaint with the FTA:

Federal Transit Administration (FTA)
Region 8
Attn: Civil Rights Officer
12300 West Dakota Avenue
Suite 310
Lakewood, CO 80228
Phone: 720-963-3300
Fax: 720-963-3333

FTA complaint procedures can be found on the FTA web site at www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1A, Chapter IX.

- 7) If the complaint has investigative merit, the SMCCO will instruct the SMC Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the SMCCO within sixty (60) calendar days from the date of the decision to investigate. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the Town Attorney and an extension will be requested.
- 8) The SMC Title VI Coordinator or his/her authorized designee will issue letters of finding to the Complainant within ninety (90) calendar days from the date of the decision to investigate unless the Complainant agrees to postpone the investigation pending settlement negotiations.



Instructions: If you would like to submit a Title VI complaint of alleged discrimination to San Miguel County, please fill out the form below and send it to: San Miguel County Commissioners Office, P.O. Box 1170, Telluride, CO 81435-1170. For questions or a full copy of the Title VI policy and complaint procedures call 970-728-3844 or email ninak@sanmiguelcountyco.gov.

1. Name (Complainant):	
2. Phone:	3. Home address (street no., city, state, zip):
4. Name of person(s) who allegedly discriminated against you:	
5. Location and position of person(s) if known:	6. Date and location of incident:
7. Discrimination because of [conform with statutes in report] <input type="checkbox"/> Race <input type="checkbox"/> National origin <input type="checkbox"/> Color	
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.	
9. Why do you believe these events occurred?	

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):

Name:

Address:

Phone number:

13. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

Yes

No

If yes, check all that apply:

Federal agency

Federal court

State court

Local agency

State agency

If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.

Agency/Court:

Contact's Name:

Address:

Phone number:

Signature (Complainant):

Date of filing: