

Filing a Complaint

Complaint Procedure Any person may who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, disability, sex, age, low income status or limited English proficiency, sexual orientation or transgender status, religion, citizenship status, military status, genetic information, or any other category protected under federal, state, or local law, or in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person. (See Appendix -- "Complain Consent / Form").

It is the policy of the Town of Fortville to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated. No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Individuals with requests for services, questions or complaints concerning "Section 504 of the ADA" or "Title VI Non-Discrimination Policy on Public Access to Facilities, Programs, Activities & Services, Employment or Participation Opportunities" should submit a written or verbal complaint to the Title VI Coordinator.

Title VI Coordinator

Tammy White, Office Manager

Town of Fortville, 714 E. Broadway, Fortville, IN 46040

317-485-4044 ext 103-office / 317-485-4141-fax / email: twhite@fortvilleindiana.org

The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found on the Town's website (www.fortvilleindiana.org) or at Town Hall located at 714 E. Broadway Fortville, IN 46040. Although it is highly recommended, individuals are not required to use the Town's complaint form. If necessary, the Town will help an individual reduce their complaint to writing for signature.

The complaint should include the name, address and telephone number of the individual complaining (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Within 60 days of the receipt of the complaint the Town will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The Town will try to obtain an informal voluntary resolution to all complaints at the lowest level possible. A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential. These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

INDOT	Indianapolis District EEOC Office	Indiana Civil Rights Commission
Economic Opportunity Division	101 W. Ohio Street, Ste. 1900	100 N. Senate Ave., Room N103
100 N. Senate, Room N750	Indianapolis, IN 46204	Indianapolis, IN 46204
Indianapolis, IN 46204	Phone: 800-669-4000	Phone: 800-628-2909
Phone: 317-233-6511	Fax: 317-226-7953	Phone: 317-232-2600
Fax: 317-233-0891	TTY: 800-660-6820	Fax: 317-232-6560
		Hearing Impaired: 800-743-3336

Processing the Complaint – The Title VI coordinator will review the complaint upon receipt to ensure that all information is provided, the complaint meets the 180 day filing deadline and falls within the jurisdiction of the Town, and will then investigate the complaint. If the complaint is against the Title VI Coordinator, then the Town Manager’s office or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the Town Attorney.

If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency.

The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator’s name and will request that this party be available for an interview.

Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator and Mayor’s office. Once the Town has investigated the report findings, the Town will adopt a final resolution and all parties will be properly notified of the outcome of the Town’s investigative report.

If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the Town’s decision. Appeals must be filed within 180 days after the Town’s final resolution. Unless new facts not previously considered come to light, reconsideration of the Town’s determination will not be available.

The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled “Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes.” available online at: <http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf>

Title VI complaint Filing – Complaints filed with the Town of Fortville, Indiana, based on violation of Title VI of the Civil Rights Act of 1964, must include the following information: Name of Complainant; Date of Complaint; Address of Complainant; Telephone Number of Complainant; Name of Agency / Dept Accused of Discriminatory Practices; Name of Individual Accused of Discriminatory Practices; Description of Alleged Discrimination; Date of Alleged Discrimination; and/or Supporting Documentation. (See Appendix - “Complain Consent / Form”).

Alleged Discrimination – If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, the basis on which you believe these discriminatory actions were taken must be included. *Note: The Town of Fortville, Indiana prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the Town. Please inform the Title VI Coordinator if you feel you were intimidated or experience perceived retaliation in relation to filing a complaint.*

Letter Acknowledging Receipt of Complaint - Following receipt of the complaint alleging discriminatory actions / behavior, the Title VI Coordinator will send the complainant a letter acknowledging receipt by the Town of Fortville of the complaint.

Letter Notifying Complainant that the Complaint is Substantiated - If after investigation, the Town of Fortville determines that the filed complaint alleging a Title VI violation has been substantiated, the Town shall notify the complainant of such determination and that the Town has implemented measures to correct the issue. Such notice shall also indicate that the complainant may be notified again by the Town or state or federal authorities if an administrative hearing process is initiated.

Letter Notifying Complainant that the Complaint is Not Substantiated - If, after investigation, the Town of Fortville determines that the filed complaint alleging a Title VI violation has not been substantiated, the Town shall notify the complainant of such determination and that the Town is closing the file for this issue. Such notice shall also indicate that the complainant has the right to appeal within seven (7) calendar days of receipt of this final written decision from the Town of Fortville, and/or file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor - TCR 1200 New Jersey Ave SE Washington DC, 20590