

## **CITY OF SIOUX FALLS TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 for alleged discrimination in any program or activity administered by the City of Sioux Falls for public transportation services or transit-related benefits.

If this information is needed in another language, please contact the Title VI Compliance Officer at 605-367-8890.

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 at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the City of Sioux Falls 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 written complaint to the following address:

### **Title VI Compliance Officer Contact Information:**

Senior Planner, SAM Title VI Compliance Officer  
City Center, Planning and Development Services  
231 North Dakota Avenue  
P.O. Box 7402  
Sioux Falls, SD 57117-7402  
Phone: 605-367-8890

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

1. A formal complaint must be filed within 180 calendar days of the date of the alleged occurrence. Complainants will complete the Title VI Complaint Form (following these instructions), sign it, and submit to the Title VI Compliance Officer at the address listed on the form. A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.
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 Title VI Compliance Officer. Under these circumstances, the complainant will be interviewed and the Title VI Compliance Officer will assist the Complainant in converting the verbal allegations to writing.
3. When a complaint is received, the Title VI Compliance Officer will provide written acknowledgment to the Complainant within ten calendar days by registered mail.
4. If a complaint is deemed incomplete, additional information will be requested and the Complainant will be provided 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 15 calendar days from receipt of a complete complaint, the Title VI Compliance Officer, with support and advice from the City of Sioux Falls' Attorney's Office, will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five calendar days of this decision, the Title VI Compliance Officer, or his/her authorized designee, will notify the Complainant by certified mail informing them of the disposition.
  - 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 state the grounds of the City of Sioux Falls' jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When the City of Sioux Falls does not have sufficient jurisdiction, the Title VI Compliance Officer, or his/her authorized designee, will refer the complaint to the appropriate state or federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the Title VI Compliance Officer, or his/her authorized designee, will assign an investigator. A complete investigation will be conducted and an investigative report will be submitted to the Title VI Compliance Officer within 60 calendar days from receipt of the complaint. 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 investigator will notify the appropriate authorities and an extension will be requested.
8. The Title VI Compliance Officer, or his/her authorized designee, will issue letters of finding to the Complainant and Respondent within 90 calendar days from receipt of the complaint.
9. If the Complainant is dissatisfied with City's resolution of the complaint, he/she has the right to file a complaint with the:

**Federal Transit Administration  
Office of Civil Rights  
Attn: Title VI Program Coordinator  
East Building, 5th Floor—TCR  
1200 New Jersey Avenue SE  
Washington, DC 20590**