



# Title VI Complaint Process

## Title VI Complaint Process Regarding a Town of Avon Service, Program or Activity

This page describes the Title VI complaint process for any complaint filed with the Town of Avon (“the Town”) alleging the Town’s failure to comply with Title VI of the Civil Rights Act of 1964 (“Title VI”).

### What is Title VI?

Title VI requires that no person in the United States of America shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity provided by the recipient of federal assistance. The Town of Avon receives federal financial assistance. Any person who believes himself or any specific class of persons to have been discriminated against in violation of Title VI may by himself or by a representative file a formal complaint with the Town of Avon as described below. Any such complaint must be in writing or provided verbally so that it can be put in writing and filed with the Town’s Title VI Coordinator within 180 days following the date of the alleged discriminatory act or decision. Individuals are not required by federal regulations to file a complaint with the Town of Avon and may file a complaint directly with the appropriate federal or enforcement agency.

Please note that Title VI does not address gender, age, or disability discrimination. Other laws address gender, age and disability discrimination.

### Frequently Asked Questions

#### 1. What is the role of the Town’s Title VI Coordinator?

The Town’s Title VI Coordinator position is administrative in nature. The role of the Title VI Coordinator is to assist persons in understanding the Town’s non-discrimination policies and procedures in relation to compliance with Title VI. The Title VI Coordinator is an impartial administrator who neither advocates for nor is an adversary to a person who wants to or has filed a Title VI complaint. The Title VI Coordinator’s responsibility is to ensure the proper administration of the Title VI complaint process.

#### 2. How do I file a complaint?

If a person believes that he or she or specific class of persons has been discriminated against by the Town of Avon or one of the Town’s federal assistance sub-recipients on the basis race, color or national origin in violation of Title VI, such person has the right to file a complaint with the Town’s Title VI Coordinator. The complaint should be documented in writing on a Title VI Complaint Form.

The Complaint Form should contain the name, address and telephone number of the Complainant and should contain as much information as possible concerning the alleged violation, including the location, date and description of the problem or incident. The Complaint Form must be completed and signed by the Complainant or his or her authorized representative. Upon request, the Town will make available language assistance for persons with limited English proficiency or other assistance as necessary for filing a complaint.

Complaint forms submitted to the Town are open to inspection pursuant to the Colorado Open Records Act, Colorado Revised Statutes §24-72-101, et. seq. It will likely be necessary to share some or all information, including the identity of the person filing the complaint, in order to resolve the complaint or as required by law. Investigation of a Title VI complaint will likely include discussion of the allegations of the complaint with those employees or sub-recipients or others who may have been involved with the alleged discriminatory act or decision.

The Complaint Form should be submitted to the Town's Title VI Coordinator as soon as possible, but no later than 180 days after the alleged discriminatory act or decision.

Please file a complaint at the following address:

Avon Transit, Title VI  
PO BOX 975  
Avon CO 81620

Or file a complaint by email: send to [ewilson@avon.org](mailto:ewilson@avon.org).

### **3. What are other options for filing a complaint?**

If a person believes he or she has been discriminated against in violation of Title VI, such person also has the right to file a complaint with an external entity such as the federal agency providing federal assistance to the Town related to the program, service or activity of concern or with the United States Department of Justice. For more information about filing a Title VI complaint, visit the U.S. Department of Justice website at this address: <http://www.justice.gov/crt/complaint/>. Or a person who is interested in learning more about filing a complaint may reach the Department of Justice by telephone at (888) 848-5306 for English and Spanish (ingles y espanol) or (202) 307-2678 (TDD).

### **4. What happens to my complaint after it's filed with the Town?**

Within 30 days of receiving the written complaint, the Title VI Coordinator will notify the Complainant of its receipt. The Title VI Coordinator will attempt to discuss the complaint with

the Complainant and any Town staff members or others who are concerned with the complaint and will attempt to resolve the complaint informally.

If the Title VI Coordinator determines further investigation is warranted, he or she shall mail to the Complainant a notice of continuing investigation (“NCI”) within fifteen (15) days of receiving the completed Complaint Form. If appropriate, the Title VI Coordinator may also arrange to meet with the Complainant to discuss the matter and possible resolution. If the matter is not resolved informally, the Title VI Coordinator shall respond with his or her final response, in writing, within forty-five (45) calendar days after the NCI is sent to the Complainant.

If the Title VI Coordinator’s final response does not satisfactorily resolve the matter, the Complainant or authorized representative may appeal the decision of the Title VI Coordinator, in writing, to the Town Manager, Town of Avon, P.O. Box 975, Avon Colorado 81620. Complainant shall file his or her appeal, including a detailed description of its basis, no later than thirty (30) calendar days after the date of the Title VI Coordinator’s final response. Within thirty (30) calendar days after receipt of the appeal, the Town Manager will designate a third party (not a Town employee) to act as appeal officer (the “Appeal Officer”). The Appeal Officer shall attempt to meet with the Complainant to discuss the complaint and possible resolutions. The Appeal Officer will be an attorney or someone who is well-versed in Title VI law, rules and regulations. Within forty-five (45) days calendar days after the filing of the appeal, the Appeal Officer shall respond, with a final resolution of the complaint.

At that point, the complainant may investigate his or her options for further action, including but not limited to those described in subsection 3 above.

The Title VI Coordinator, the Town Manager or his designee and the Appeal Officer may extend the deadlines noted herein for cause and with notification to the complainant.

## **5. How long will records about the complaint be retained by the Town?**

The Town’s Title VI Coordinator will maintain the following materials for a period of three (3) years: 1. written complaints received by the Title VI Coordinator; 2. final response of the Title VI Coordinator; 3. final resolutions by the Appeals Officer. Additionally, a summary of all complaints received will be retained for at least 5 years.