



Shelby County Government

NONDISCRIMINATION COMPLAINT PROCEDURES

A complaint alleging discrimination in the provision of any service, program or activity of Shelby County, or any service, program or activity of any office, officer, board, or instrumentality subject to this Policy may be filed with the Compliance Officer. These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964.

Complaints involving any service, program or activity of any office, officer, board, or instrumentality that receives funding from or through the Tennessee Department of Transportation (TDOT), or any complaint involving federal transportation assistance received by any office, officer, board, or instrumentality subject to this Policy, the Compliance Officer shall promptly forward the complaint to the TDOT Civil Rights Office within three (3) business days after receipt. TDOT will be responsible for investigating such complaints, however, all other complaints shall be thoroughly investigated by the Compliance Officer.

Complaint Process:

To be accepted and considered a valid Title VI complaint, it must meet all the following criteria:

1. Complaints should be submitted in writing or electronically within 180 calendar days of the alleged incident or when the alleged discrimination became known to the complainant. Verbal complaints will be accepted, however, verbal complaints should be transcribed and signed by the complainant whenever possible.
 - a. The allegations must involve Title VI discrimination based on race, color, or national origin.
 - b. The allegation must involve a program or activity of a federal aid recipient, subrecipient, or contractor.
2. While it is preferable that any complaint be submitted on the County Complaint of Discrimination form, that is not mandatory. This form shall be made readily available, at a minimum, through the Office of the Title VI Compliance Officer, and via the internet through the County's official website. The form should be filled out by the complainant or his/her representative and mailed or delivered as soon as possible to the Title VI Compliance Officer.

Please submit complaint to Shelby County Government or TDOT:

Shelby County Government
Title VI Compliance Office
Laviette Crutchfield
160 N. Main, 7th Floor
Memphis, TN 38103
Tel: (901) 222-9305
Fax: (901) 222-9301
Email: TitleVI@shelbycountyttn.gov

Tennessee Department of Transportation
Civil Rights Division, Title VI Program
Cynthia Howard, Director
505 Deadrick Street, Suite 400
Nashville, TN 37243
Tel: (615) 741-3681
Fax: (615) 741-3169
Toll Free: (888) 370-3647

COMPLAINT & HEARING PROCEDURES

Guidelines for Processing Complaints:

1. The Compliance Officer will retain the original complaint form, but the respective office, officer, board, or instrumentality should immediately receive a copy of any complaint filed. When possible, a date-stamped copy of the complaint should be returned to the complainant with an acknowledgment of receipt.
 - a. Unless a complaint is or will be filed externally, all complaints initially should be filed with or submitted to the Title VI Compliance Officer. The Compliance Officer will immediately notify the respective office, officer, board, or instrumentality.
 - b. The Compliance Officer's investigation regarding complaints will be conducted in cooperation with the respective division, department, office, board, or instrumentality that is the subject of the complaint.
 - c. The Title VI Compliance Officer has a broad latitude in reviewing a complaint and rendering findings. Procedures may include, but are not limited to, discussing the matter with the complainant, the alleged offender, and others, including the initial reviewer for the respective office, board, or instrumentality to determine the facts.
 - d. The Compliance Officer will conduct and complete fact-finding within thirty (30) calendar days after receipt of the complaint. In the event an investigation and fact-finding cannot readily be completed within these thirty (30) daytimes frame, the Compliance Officer and the complainant may mutually agree, orally or in writing, to allow additional time to fully review the complaint and investigate the facts. If oral consent is given by the complainant, written confirmation of the additional time agreed to shall be sent to the complainant, when possible.
 - e. Once the investigation is completed the Compliance Officer will prepare a written report of its findings. If the Compliance Officer finds a violation of Title VI, the Compliance Officer should include in the report proposed corrective action to be taken by the office, officer, board, instrumentality, or sub-recipient.
 - f. The Compliance Officer will maintain a "Title VI Complaint Log" that includes identifying information, type of complaint, and the status of each complaint filed. When the investigation of each complaint is concluded, the Compliance Officer will keep a copy of the report on file in his/her office.
 - g. Within five (5) working days after the completion of the report, the Compliance Officer will notify and/or provide the complainant with the written findings.
 - h. After notification or receipt of the written findings a complainant who desires to pursue the complaint may pursue the matter externally if the complainant has not already done so.
 - i. To allow time to file sequentially with the County and then externally with an administrative agency or court, as the complainant so chooses, the complaint within the County system should be filed no later than thirty (30) calendar days after the alleged discriminatory act or alleged Title VI violation occurred.
 - j. If the complainant is not satisfied with the findings of the Title VI Compliance Officer or the proposed remedial action, the complainant may file the complaint externally, if within the applicable statute of limitations.
 - k. If a complaint is filed within the County and is filed externally at the same time, or while the County's review and investigation is ongoing, the external complaint

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supersedes the internal complaint review and investigation. Accordingly, Shelby County's complaint investigation procedures will be suspended pending the outcome and notification of the external complaint process.

1. The Title VI complaint policy and procedures are documented in the Title VI brochures and on the Shelby County internet.