

Title VI Complaint Procedures

Any person who believes they were subjected to discrimination by the City's programs or activities because of their race, color, or national origin may file a written Title VI complaint with the City of San Diego's Title VI Coordinator within 180 days of the alleged discriminatory act(s).

A [complaint form](#) is available online at www.sandiego.gov/TitleVI. Complaints should be signed and submitted in writing using one of the contact methods provided below. If a complaint is submitted via phone, City staff will make best efforts to transcribe the allegation on a complaint form and provide it to the complainant for confirmation or revision and signature before processing. If submitted via email, the email should include the signed and dated complaint as an attachment. Any person requiring a reasonable accommodation may contact the Title VI Coordinator to obtain assistance in filing a complaint.

Complaints may be submitted to the City's Title VI Coordinator using one of the following contact methods:

U.S. Mail: Title VI Coordinator
202 C Street, MS 8A
San Diego, CA 92101

Email: titlevi@sandiego.gov

Fax: 619-533-3320

Phone: 619-629-9073

The City's Title VI Coordinator will process complaints received within 180 days of the alleged discriminatory act(s). The Title VI Coordinator will only process complaints that are complete, which include, at a minimum, the following:

- Complainant's contact information;
- Date(s) of the alleged discriminatory act(s);
- Details of the alleged discrimination;
- Identification of the respondent (e.g., the City department responsible for the alleged discrimination);
- Basis for the complaint (e.g., race, color, or national origin); and
- Signature of the complainant or complainant's representative.

After receiving a complaint, the Title VI Coordinator will record it in a complaint log and forward it to the Caltrans Office of Civil Rights (OCR). After receiving the complaint, OCR will determine which federal administering agency has jurisdiction to investigate/process the complaint as outlined on the following page.

Title VI Complaints Processed Under the Federal Highway Administration (FHWA)

Per the FHWA Guidance Memorandum, *Processing of Title VI Complaints*, dated June 13, 2018, all Title VI complaints received by a sub-recipient (e.g., the City of San Diego) are to be forwarded to Caltrans to be submitted to the FHWA California Division Office. If FHWA's Headquarters Office of Civil Rights (HCR) determines a Title VI complaint against a sub-recipient can be investigated by Caltrans, HCR may delegate the task of investigating the complaint to Caltrans.

Title VI Complaints Processed Under the Federal Transit Administration (FTA)

Title VI complaints filed with Caltrans against a sub-recipient will be investigated by Caltrans. If the complaint is filed with the sub-recipient, the sub-recipient is responsible for investigating the complaint in accordance with FTA Circular 4702.1B. FTA recommends, but does not require, that individuals first file a complaint directly with their transit provider to give the provider an opportunity to resolve the situation. FTA grantees are required to have local complaint procedures.

Caltrans Office of Civil Rights (OCR) Investigation Process

If OCR is delegated the responsibility of performing an investigation, OCR has 90 days to investigate the complaint. If additional time is needed, OCR will call the complainant and inform them.

If more information is needed to resolve the case, the OCR investigator may contact the complainant. The complainant has ten business days from the date of the letter to send the requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within ten business days, OCR can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

OCR will consult with HCR regarding the disposition of the complaint. HCR will undertake disposition of the complaint through either (1) *informal resolution* or (2) *issuance of a Letter of Finding of compliance or noncompliance with Title VI*. A copy of the *Letter of Finding* will be sent to all parties via the FHWA California Division Office.

A person may also file a complaint directly with:

Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590