

**SOUTH CENTRAL ILLINOIS MASS TRANSIT DISTRICT  
TITLE VI POLICY**

**SCT shall grant services to individuals regardless of their race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, or unfavorable discharge from military services.**

**Title VI Complaint Procedures**

In order to comply with 40 CFR Section 21.9(b), South Central Illinois Mass Transit District (SCT) has developed procedures for investigating and tracking Title VI complaints. The procedures for filing a complaint will be made available to members of the general public. SCT has adopted the Title VI complaint procedures used by IDOT. The following measures will be taken in dealing with Title VI Complaints.

- 1). A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the Complainant's name, address, and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. Exhibit II provides SCT's Title VI complaint form.
- 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 SCT's Title VI Coordinator (Managing Director). Under these circumstances, the complainant will be interviewed, and the Coordinator will assist the Complainant in converting the verbal allegation into writing.
- 3). SCT will investigate complaints filed against contractors, consultants, or other sub-recipients. Complaints filed directly against SCT shall be forwarded to the IDOT Title VI Coordinator:  
Mr. Elbert Simon, Civil Rights Officer  
318 Hanley Building  
Illinois Department of Transportation  
2300 Dirksen Parkway  
Springfield, IL. 62764
- 4). When a complete complaint is received, the Title VI Coordinator will provide written acknowledgement to the Complainant within five (5) days by registered mail. At the same time, the complaint will be forwarded to the State of Illinois for investigation.
- 5). If a complaint is deemed incomplete, additional information will be requested from the Complainant within 15 business days from receipt of the original complaint. The Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 6). Within 15 business days from receipt of a complete complaint. SCT will determine its jurisdiction in pursuing the matter and whether the complaint

has sufficient merit to warrant investigation. Within five (5) days of this decision, the Complainant and Respondent will receive notification of the disposition by registered mail.

a. If the decision is not to investigate the complaint, the notification shall inform the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

## Exhibit II

### SOUTH CENTRAL TRANSIT TITLE VI COMPLAINT FORM

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Numbers: (home) \_\_\_\_\_ (work) \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Accessible Format Requirements?

Large Print \_\_\_\_\_ Audio Tape \_\_\_\_\_ TDD \_\_\_\_\_ Other \_\_\_\_\_

*The Federal Transit Administration (FTA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public transportation properly abide by Title VI of the Civil Rights Act of 1964. Executive Order 12898, "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations," and the Department of Transportation's Guidance to Recipients on Special language Services to Limited English Proficient (LEP) Beneficiaries.*

*In SCT's complaint Investigation process, we analyze the complainant's allegations for possible Title VI and related deficiencies by the transit provider. If deficiencies are identified, they are presented to the transit provider and assistance is offered to correct the inadequacies within a predetermined timeframe. The State of Illinois may also refer the matter to the U.S. Department of Justice for enforcement.*

## Section II

Are you filing this complaint on your own behalf? Yes \_\_\_ No \_\_\_ (If you answered 'yes' to this questions, go to section III)

If the answer was 'no' please supply the name of the person for whom you are complaining: \_\_\_\_\_

Please explain why you have filed for a third party: \_\_\_\_\_

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Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes\_\_\_\_No\_\_\_\_

**Section III**

Have you previously filed a Title VI complaint with SCT or the FTA? Yes\_\_\_\_No\_\_\_\_

If yes, what was your FTA Complaint Number?\_\_\_\_\_

*(Note: This information is needed for administration purposes; we will assign the same complaint number to the new complaint.)*

Have you ever filed with any of the following agencies?

Transit Provider\_\_\_\_IDOT\_\_\_\_Department of Justice\_\_\_\_Equal Employment  
Opportunity Commission\_\_\_\_Other\_\_\_\_\_

Have you filed a lawsuit regarding this complaint? Yes\_\_\_\_No\_\_\_\_

If yes, please provide a copy of the complaint form.

*(Note: The above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we will defer to the decision of the court).*

**Section IV**

On separate sheets, please describe your complaint. You should include specific details such as names, dates, times, route number, witnesses and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint.

**Section V**

May we release a copy of your complaint to the Illinois Department of Transportation (IDOT)? Yes\_\_\_\_No\_\_\_\_

May we release your identity to the IDOT? Yes\_\_\_\_No\_\_\_\_

*(Note: We cannot accept your complaint without a signature).*

Signature\_\_\_\_\_Date\_\_\_\_\_

- 7). When SCT does not have sufficient jurisdiction, the complaint will be referred to IDOT for further investigation.
- 8). If the complaint has investigative merit, an investigator will be assigned. A complete investigation will be conducted, and an investigative report will be submitted within 45 days from the receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations.
- 9). A letter of finding will be issued to the Complainant and Respondent. Where appropriate, these letters will include conciliatory measures. A copy of the investigative report shall be forwarded to IDOT within 60 days from recipient of the complaint. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.
- 10). If the Complainant is dissatisfied with SCTs' resolution of the complaint, he/she has the right to file the complaint with the IDOT Title VI Coordinator directly.

**2. Title Vi Investigation, Complaint, and Lawsuit Record Keeping procedures**

In order to comply with 49 CFR Section 21.9 (b), SCT has prepared and maintains a list of active investigations, lawsuits or complaints name SCT that allege discrimination on the basis of race, color, or national origin. The list includes:

- The date the investigation, lawsuit, or complaint was filed;
- A summary of the allegation;
- The status of the investigation; and
- Actions taken in response to the investigation, lawsuit, or complaint.

SCT has adopted IDOT's Title VI record keeping procedures for complaints, lawsuits, and investigations. Exhibit III on the following page depicts this format. There are currently no active investigations, lawsuits, or complaints that allege discrimination by SCT on the basis of race, color, or national origin.

**Exhibit III**

FILE DATE	SUMMARY OF ALLEGATION	ACTIONS TAKEN IN RESPONSE	STATUS OF INVESTIGATION

**3. Meaningful Access to Limited English Proficient (LEP) Person**

Title VI and its implementing regulations require that FTA sub-recipients take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their program and activities that have LEP individuals. Circular 4702 IA states that LEP persons are “*persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well, or do not speak English at all.*”

SCT has assessed the main factors involved in developing a Language Implementation Plan as described in the Federal Transit Administration guidance entitled “Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers.” These steps are as follows:

1). Identifying the number or proportion of LEP persons eligible to be served or likely to be encountered by a program activity, or service of the recipient or grantee. Based on the 2000 U.S. Census, SCT undertook an analysis of the languages spoken in Marion, Clinton, Washington, Franklin, Jefferson and Perry counties and estimated the number of residents with Limited English proficiency by language group. A summary of this data is provided below in Exhibit IV. As can be seen, the primary language spoken at home within SCT service area is English. Approximately 2.93% of the residents 5 years of age and older speak a language other than English at home. A detailed breakdown of the English Proficiency data obtain from the 2000 Census is provided in an appendix below:

**Exhibit IV. English and Non-English Speaking Residents of the SCT Service Area**

<b>TOTAL POPULATION</b>		<b>Percentage LEP</b>
Marion Co.	39,008	2.7%
Clinton Co.	36,368	3.3%
Jefferson Co.	39,944	2.9%
Franklin Co.	39,312	2.2%
Perry Co.	22,424	2.7%
Washington Co.	14,560	3.8%
<b>Total Population</b>	<b>191,616</b>	
<b>Average LEP for Service Area</b>		<b>2.9%</b>

2). SCT full understands that IDOT may request additional information to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI. SCT will cooperate with IDOT, and all requested information will be provided in a timely manner.

3). To ensure compliance with 49CFR Section 21.9 (b), this report will serve as documentation of SCT’s Title VI compliance.

