

DeKalb County Government

Title VI Annual Update



December 2018

Prepared by: J. Nichole Simms, Title VI Coordinator

Title VI Annual Update

Fiscal Year 2018

Table of Contents

Policy Statement.....3

Overview.....4

Authorities.....6

Accomplishments.....8

Goals.....9

DeKalb Title VI Assurances.....11

DeKalb Title VI Complaint and Investigation Process.....17

TITLE VI POLICY STATEMENT

DeKalb County, Georgia is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. DeKalb County assures that no person shall on the grounds of race, color, sex, or national origin, as provided by Title VI of the Civil Rights Act of 1964, the Federal-Aid Highway Transportation Act of 1973, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. DeKalb County further assures that no person shall on the grounds of age, low income or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Although not required by Title VI or any related authorities, DeKalb County also assures that no person shall on the grounds of sexual orientation or gender identity be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

DeKalb County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In addition, DeKalb County will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency (LEP).

DeKalb County will include Title VI language in all written agreements that distribute federal aid funds and will monitor for compliance.

DeKalb County's Executive Assistant or his/her designee is responsible for ensuring compliance with provisions of this policy and with the law, including the requirements of 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21.

Overview

The DeKalb County Title VI Annual Report provides information on accomplishments for 2017/2018 and goals for 2019.

The CEO of DeKalb County shall be responsible for ensuring the implementation of the County's Title VI program. The Executive Assistant shall be responsible for the overall management of the Title VI program. The day-to-day administration of the program lies with the Title VI Coordinator under the direct supervision of the Executive Assistant. The Executive Assistant may designate Title VI Specialists to assist the Title VI Coordinator.

As authorized by the Executive Assistant, Title VI Coordinator responsibilities shall fall within one of two categories: specific or general and the following lists capture key responsibilities that shall be executed by the Title VI Coordinator/Specialists:

General areas of responsibility shall include:

- Coordinate Title VI program development with the major program area;
- Provide technical assistance, guidance, and advice on DeKalb County Government's Title VI Program;
- Conduct Title VI review of DeKalb County Government's and its sub-recipients' major program areas and activities;
- Review findings of program area reviews to ensure determinations of discrimination or nondiscrimination are sufficiently supported;
- Participate in the development and dissemination of Title VI information to the public (in languages other than English where necessary);
- Develop and implement procedures for the prompt processing of Title VI discrimination complaints;
- Conduct/coordinate Title VI training;
- Establish procedures to resolve determinations of noncompliance;
- Update Title VI Implementation Plan; and
- Establish procedures for processing Title VI reviews.

Specific Activities:

- Participate in all transportation decision making;
- Take part in identifying Title VI impacts with major program area officials/personnel;
- Participate in identifying mitigation measures for minorities and low income persons, and when possible, determine the effectiveness of such measures;
- Participate in obtaining public involvement, especially in minority and low income areas;
- Attend statewide/regional planning and project meetings/hearings involving Title VI issues or where Title VI impacts have been identified;
- Accompany program area officials/personnel on selected right-of-way activities to compare treatment received by minorities and non-minorities;
- Review all contracting procedures to ensure nondiscrimination;

- Review prequalification/bonding requirements and contractor selection procedures to determine uniformity in their application to minority and non-minority contractors;
- Assist major program area officials/personnel and sub-recipients in communicating contract opportunities to minority/women-owned contractors and subcontractors; and
- Review selection procedures for principal researchers and staff to determine minority participation; assist in identifying minority institutions of higher education interested in conducting research

Authorities

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000 provides in section 601 that: “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving federal financial assistance (implementation through 23 CFR 200.9 and 49 CFR 21).

Related statutes have broadened the grounds to include age, sex, low income, and disability. The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100- 259 [S. 557] March 22, 1988).

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, provides for the fair and equitable treatment of persons displaced as a direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance.

Section 162(a) of the Federal-aid Highway Act of 1973, (Section 324, Title 23 U.S.C.), provides that no person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal assistance under this title or carried on under this title.

Section 504 of the Rehabilitation Act of 1973, specifies that no qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity that receives or benefits from federal financial assistance.

The Age Discrimination Act of 1975, as amended 42 U.S.C. 6101, provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987, P.L. 100-209, clarifies the original intent of Congress in implementing the Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. This Act reiterates the broad, institution-wide scope and coverage of the non-discrimination statutes to include all programs and activities of federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not)

The Americans with Disabilities Act of 1990, P.L. 101-336, provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or a local government.” The legislative intent is to provide enforceable standards to address discrimination against people with disabilities.

USDOT ORDER 1050.2 – Provides standard Title VI assurances.

Executive Order 12898 (issued February 11, 1994) – Addresses Environmental Justice in Minority Populations and Low Income Populations.

Executive Order 13166 (August 16, 2000), which requires Federal agencies and their recipients to improve access to federally-sponsored programs for persons with limited English proficiency.

28 CFR Part 50.3, which codifies DOJ's Guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

23 CFR Part 200 – includes FHWA's Title VI Program Implementation and Review Procedures.

Title VI Program Accomplishments

The DeKalb County Title VI Plan adopted by the Board of Commissioners in 2016 remains as the guiding document for DeKalb County. The 2017/2018 Title VI Annual update will be placed on the County's website.

Title VI Compliance Review

A site visit compliance review was conducted of the Dekalb County Transportation Department to include the following:

- Completion of the Title VI Compliance Questionnaire for Local Agencies.
- Ensured Title VI signage was in proper area.
- Pertaining to limited English proficiency ensured that 'I Speak' cards are utilized when needed.

Title VI Information Dissemination

The Title VI flyer and complaint process was provided to all DeKalb County Department Heads and confirmation of posting these documents in public areas established.

Limited English Proficiency (LEP)

Title VI Documents were translated in one alternative non-English language: Spanish

Complaints

We received one Title VI complaint in 2017 and followed the complaint process according to our Title VI plan. The complaint was a duplicate from 2008 submitted by the same complainant and according to FHWA the complaint was resolved.

Goals for Upcoming Fiscal Year 2019

Title VI Program Plan

The Title VI Coordinator will review and update the plan as needed.

Title VI Audit Reviews/Monitoring

The Title VI Program plans to conduct 5 Title VI site visit compliance reviews for key county departments to include the following:

- PDK Airport
- Transportation
- Parks, Recreation and Cultural Affairs
- Community Development
- Human Development

These site visit compliance reviews will start in February 2019 and will take place every other month until completion.

Title VI Presentations and Training

The Title VI Program plans to facilitate two Title VI training sessions for department heads, Title VI liaisons and any other key county employees who interface with the public in departments who receive federal funding.

Title VI information will be provided during all new hire orientations and employees will have to confirm by signature that they have received this information.

Title VI information will be reviewed as part of the county's pre-bid meetings for potential contracted services.

Title VI Limited English Proficiency (LEP) Policy

The Title VI Program plans to procure a language service to include in the development and implementation of a Limited English Proficiency (LEP) Policy. This policy will establish a process for providing meaningful access and provision of services to Limited English Proficiency (LEP) persons.

Data Collection

- Assist department Title VI liaisons in the development and implementation of data collection and self-monitoring mechanism.

Technical Procedure

- Update the Title VI web page to include an updated Title VI plan and LEP policy.

Title VI Assurances of and for DeKalb County Government

DeKalb County Government (hereinafter referred to as the “Recipient”), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program.

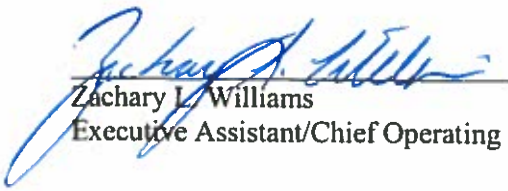
1. That the Recipient agrees that each “program” and each “facility” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program and in adapted form in all proposals for negotiated agreements:

“DeKalb County Government, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.”

3. That the Recipient shall insert the clauses of Appendix 1 of this Assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program, as are found by the Georgia Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.


Zachary L. Williams
Executive Assistant/Chief Operating Officer

12-14-18
Date

Attachments: Appendices A, B and C.

APPENDIX A

The text below, in its entirety, is in all contracts entered into by DeKalb County Government. All of the text except the final section, entitled “Incorporation of Provisions,” should be included in any contract entered into by any DeKalb County Government contractor.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “Contractor”), agree as follows:

1. Compliance with Regulations

The Contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

4. Information and Reports

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by DeKalb County Government to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to DeKalb County Government as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the Contractor’s noncompliance with the nondiscrimination provisions of this contract, DeKalb County Government or the Georgia Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontractor or procurement as DeKalb County Government or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request that DeKalb County Government enter into such litigation to protect the interests of the State and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

Granting Clause

NOW, THEREFORE, DeKalb County Government—as authorized by law, and upon the condition that the State of Georgia will accept title to the lands and maintain the project constructed thereon, in accordance with and in compliance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways; the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation; and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d-4)—does hereby remise, release, quitclaim, and convey unto the state of Georgia all the right, title, and interest of DeKalb County Government in and to said land described in Exhibit A attached hereto and made a part thereof.

Habendum Clause

TO HAVE AND TO HOLD said lands and interests therein unto the State of Georgia, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the State of Georgia, its successors, and assigns.

The State of Georgia, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree, as a covenant running with the land for itself, its successors and assigns, that (1) no person shall, on the grounds of race, color, sex, disability, national origin, age, or religion, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed*, (2) that the state of Georgia shall use the lands, and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination of Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the agency shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and become the absolute property of, DeKalb County and its assigns as such interest existed prior to this instruction.¹

¹ Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by DeKalb County Government pursuant to the provisions of Assurance

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a program or activity of DeKalb County Government is extended, or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by DeKalb County Government pursuant to the provisions of Assurance 7.

The LESSEE, for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation— Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the [license, lease, permit, etc.] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

*[Include in deeds subject to a reverter clause]

That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to reenter said land and facilities there-on, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State and its assigns.

* Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of Civil Rights Act of 1964.

DeKalb Title VI Complaint Procedure

ADDENDUM 2

Nondiscrimination Complaint Procedures for Federally Assisted Programs or Activities

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 [including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components], Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by DeKalb County Government or its sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

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. These procedures are part of an administrative process that does not provide for remedies include punitive damages or compensatory remuneration for the complainant.

However, 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 Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution to the complaint. During initial interviews with the complainant and the respondent information regarding specifically requested relief and settlement opportunities will be discussed and noted.

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to Discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with DeKalb County Government's Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant and must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s) or his representative.
 - b. Include complainant's name, address and telephone number, date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct). Should a third party write and sign the complaint on behalf of complainant, include that person's name, address, telephone number and his/her relationship to complainant. If complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Title VI Coordinator will assist the complainant in converting the verbal allegations to writing.
 - c. Provide the name of the alleged discriminatory institution, official, job title and a description of the issues, including names of witnesses or anyone who can clarify the circumstances surrounding your complaint.

- d. Complaints received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established.
 - e. Allegations received by telephone will be reduced to writing and provided to the complainant for additional information and/or revision. A Title VI complaint form will subsequently be forwarded to the complainant for him/her to complete, sign, and return to the Title VI Coordinator for processing.
2. Within five (5) days of receipt of the complaint, the Title VI Coordinator will mail an acknowledgement letter to complainant and forward a copy of the letter and the complaint to the Georgia Department of Transportation. A determination of DeKalb County Government's jurisdiction, need for additional information, as well as the investigative merit of the complaint will be made by the Georgia Department of Transportation. The Georgia Department of Transportation shall assign a control number and adjudicate the case upon receipt of the completed investigative file. Complaints processed by DeKalb County Government are bound by the time frames outlined in 23 CFR 200.9(b)(3).
3. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The complainant cannot be located after reasonable attempts.
4. The complaint will be logged in and shall identify its basis and alleged harm along with the race, color, national origin, and gender of the complainant.
5. In cases where DeKalb County Government assumes the investigation of the complaint, the Title VI Coordinator will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days to submit his/her response to the allegations to the Title VI Coordinator.
6. Within 60 calendar days of the acceptance of the complaint, the Title VI Investigator will prepare an investigative report inclusive of a narrative description of the incident, all evidentiary support documentation from each party, identification of persons interviewed, findings, and recommendations for disposition for review by the Executive Assistant before submitting the file to the Georgia Department of Transportation.
7. Once review by the Executive Assistant is complete, the file will be submitted to the Georgia Department of Transportation for adjudication. The Georgia Department of Transportation will apprise all parties involved of its record of decision and appeal rights.
8. If the complainant is not satisfied with the results of the investigation, s/he shall be advised of their rights to appeal DeKalb County Government's opinion to the Georgia Department of Transportation, United States Department of Transportation (USDOT) or U.S. Department of Justice. Appeals must be filed within 180 days after DeKalb County Government's final resolution. Unless new facts not previously considered come to light, reconsideration of DeKalb County Government's opinion will not be available.

DeKalb County Government

Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know. Complete and return this form to: Nichole Simms, Title VI Coordinator, DeKalb County Government, 1300 Commerce Drive Decatur, GA 30030.

1. Complainant's Name _____

2. Address _____

3. City, State and Zip Code _____

4. Telephone Number (home) _____ (business) _____

5. Person discriminated against (if someone other than the complainant)

Name _____

Address _____

City, State and Zip Code _____

6. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:

a. Race/Color _____

b. National Origin _____

c. Other _____

7. What date did the alleged discrimination take place? _____

8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

9. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? _____ Yes _____ No

If yes, check all that apply:

_____ Federal agency _____ Federal court _____ State agency _____ State court
_____ Local agency

10. Please provide information about a contact person at the agency/court where the complaint was filed.

Name _____

Address _____

City, State, and Zip Code _____

Telephone Number _____

11. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date