



Procedures for Handling and Reporting Investigations, Complaints and Lawsuits

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and related laws (hereinafter, “complaints”).

Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with Colonial Behavioral Health’s Title VI Manager. In response to the complaint and/or any Title VI Investigations initiated by FTA or DRPT, or any Title VI lawsuits are filed against Colonial Behavioral Health, the agency will follow these procedures:

Procedures

1. The complaint is to be filed in the following manner:
 - a. The complaint shall be in writing using the designated complaint form (available on Colonial Behavioral Health’s website) and signed by the complainant(s).
 - b. The complaint must include allegations of covered discrimination, such as race, color, or national origin.
 - c. The complaint must include allegations that concern a Colonial Behavioral Health program or activity.
 - d. The complaint should include:
 - The complainant’s name, address, telephone number, and email address.
 - The date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date of the most recent occurrence of discrimination).
 - A description of the alleged act of discrimination.
 - The location(s) of the alleged act of discrimination (include vehicle number if appropriate).



- An explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin.
 - If known, the names and/or job titles of those individuals perceived as parties in the incident.
 - Contact information for any witnesses.
 - Indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?).
- e. The complaint shall be submitted within **180 days of the alleged act of discrimination** to the Colonial Behavioral Health Title VI Manager at 1657 Merrimac Trail, Williamsburg, VA 23185 or TitleVI@colonialbh.org.
- f. Complaints received by any other employee of Colonial Behavioral Health will be forwarded to the Title VI Manager in a timely manner.
- g. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the Title VI Manager will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of a complaint, the Title VI Manager will immediately:
- a. Notify DRPT (no later than three business days from receipt).
 - b. Notify the Colonial Behavioral Health Authorizing Official.
 - c. Ensure that the complaint is entered into the complaint database.
3. Within three business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
4. Prior to the interview, the complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation they perceive as relevant to proving their complaint.



5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
6. The alleged discriminatory service or program official will be given a reasonable opportunity to respond to all aspects of the complainant's allegations.
7. The Title VI Manager will determine, based on factors including, but not limited to, relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
 - a. Investigating contractor operating records, policies, or procedures.
 - b. Reviewing routes, schedules, and fare policies.
 - c. Reviewing operating policies and procedures.
 - d. Reviewing scheduling and dispatch records.
 - e. Observing behavior of the individual whose actions were cited in the complaint.
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to issuing the final report, to inform the complainant of the findings of the investigation.
11. After the Title VI Manager informs the complainant of the investigation's findings, but before the final report is issued, the complainant will have a reasonable opportunity to give a rebuttal statement at the end of the investigation process.
12. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of individuals interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, Colonial Behavioral Health's legal counsel.



13. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation (the “notification letter”). If the complaint is substantiated, the notification letter will indicate the course of action that will be followed to correct the situation. If the complaint is not substantiated, the notification letter will explain the reasoning and advise the complainant of their rights to file a complaint with the FTA and/or appeal the outcome to the DRPT. The notification letter will be copied to DRPT.
14. A complainant that is not satisfied with the outcome of an investigation conducted by Colonial Behavioral Health may appeal to the DRPT within 30 days of receipt of the notification letter. DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to its procedures.
15. A complaint may be administratively dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.

[Colonial Behavioral Health Title VI Complaint Form.](#)

A person may also file a complaint directly:

Federal Transit Administration, Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR, 1200 New Jersey Avenue SE
Washington, DC 20590.