



## **CHISHOLM TRAIL METROPOLITAN PLANNING ORGANIZATION**

### **TITLE VI FHWA FUNDS COMPLAINT PROCESS**

Chisholm Trail Metropolitan Planning Organization uses the following detailed internal procedures for prompt processing and resolution of all Title VI complaints received directly by any of its divisions having responsibilities under Title VI and the related Nondiscrimination statutes. These procedures include but are not limited to:

1. Any person who believes that he or she, individually, or as a member of any specific class, has been subjected to discrimination by Chisholm Trail Metropolitan Planning Organization or any of their recipients prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a written complaint with the Community Development Director. A complaint may also be filed by a representative on behalf of such a person.
2. In order to have the complaint considered under this procedure, the complaint must be filed no later than 180 calendar days after:
  - a. the date of the alleged act of discrimination; or
  - b. where there has been a continuing course of conduct, the date on of the most recent incident.
3. Complaints shall be filed using Chisholm Trail Metropolitan Planning Organization's Title VI Complaint Form (available by contacting the Community Development Director or at <https://www.chisholmtrailmpo.org>). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination, the person shall be interviewed by the Community Development Director. If necessary, the Community Development Director will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner. Complaints should be directed to:

**CHISHOLM TRAIL METROPOLITAN PLANNING ORGANIZATION**

Attention: Jacquelyn Porter, Community Development Director

401 Owen K Garriott Avenue

Enid, Oklahoma 73701

Phone: 580-616-7225

Email: [jacquelyn.porter@enid.org](mailto:jacquelyn.porter@enid.org)

4. Upon receipt of the signed complaint form, the Community Development Director will log in the complaint, determine the basis of the complaint, authority/jurisdiction, and who should conduct the investigation.
5. The Community Development Director reviews and determines the appropriate action regarding every Title VI complaint. The department will not proceed with or continue a complaint investigation if:
  - a. The complaint is, on its face, without merit;
  - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions; or
  - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
6. Within ten (10) business days, the Community Development Director will acknowledge receipt of the allegation, inform the complainant of the action taken or the proposed action to be taken to process the allegation(s), and the complainant is advised of other avenues of redress available, such as the Federal Highway Administration (FHWA), Federal Transit Authority (FTA), U.S. Department of Justice, U.S. Department of Transportation, and the Oklahoma Department of Transportation (ODOT). The notification letter contains:
  - a. The basis of the complaint.
  - b. A brief statement of the allegation(s) over which Chisholm Trail Metropolitan Planning Organization has jurisdiction.
  - c. A brief statement of Chisholm Trail Metropolitan Planning Organization's jurisdiction over the recipient to investigate the complaint; and
  - d. An indication of when the parties will be contacted.
7. The Community Development Director also notifies the FHWA's Division Office within ten (10) calendar days of receipt of the allegations, who will notify the appropriate Federal

Agency. Generally, the following information will be included in every notification to the ODOT Civil Rights Division:

- a. Name, address, and phone number of the complainant;
  - b. Email address if available;
  - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability/handicap);
  - d. Date of the alleged discriminatory act(s);
  - e. Date of complaint received by the recipient;
  - f. A statement of the complaint;
  - g. Other agencies (state, local, or Federal) where the complaint has been filed; and
  - h. An explanation of the actions the recipient has taken or proposed to resolve the issue(s) raised in the complaint.
8. Within sixty (60) calendar days from the date the original complaint was received, the Community Development Director will conduct and complete an investigation of the allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to FHWA's Division Office.
9. The Community Development Director will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, sex, age, national origin, disability/handicap, or income status; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information that is relevant to the complaint. The interviews are recorded using an audio format or by taking notes. The Community Development Director arranges for the complainant to read, make necessary changes to, and sign the interview transcripts or interview notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.
10. Within ninety (90) calendar days of receipt of the complaint, the Community Development Director will forward the investigative report to the FHWA. Included with the reports is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, the disposition and the date of the disposition, and any other pertinent information. If for some reason, the investigation cannot be completed within this timeframe, a status report will be submitted to ODOT and

the final report shall follow upon completion. The FHWA reviews and issues the official “Letter of Findings” to the complainant.

11. If the complaint cannot be resolved by Chisholm Trail Metropolitan Planning Organization to the satisfaction of all parties concerned, the party not satisfied will be advised of his or her right to appeal pursuant to Title 49, Code of Federal Regulations, Part 21. The appeal must be filed, in writing no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary to:

**United States Department of Transportation  
Federal Highway Administration  
1200 New Jersey Ave, S.E., Washington, DC 20590**

A complainant may also be filed directly with the Secretary, U.S. Department of Transportation, before, during, or after the complaint has been filed with ODOT.

**Oklahoma Department of Transportation  
Contract Compliance Division  
Attention: Katrina Fire  
200 N.E. 21<sup>st</sup> Street, Room 1-C1  
Oklahoma City, OK 73105**

The Chisholm Trail Metropolitan Planning Organization ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by Chisholm Trail Metropolitan Planning Organization, its recipients, sub-recipients, and contractors. To request an accommodation please contact the Community Development Director at 580-616-7225. If you have any Title VI questions, please contact the Community Development Director at [jacquelyn.porter@enid.org](mailto:jacquelyn.porter@enid.org). If you have any ADA questions, please contact the ADA Coordinator at [arasmunson@enid.org](mailto:arasmunson@enid.org) or 580-616-7242.