

Title VI Complaint Procedure

It is the intent of Peninsula Family Service to fully comply with all applicable state and federal laws and regulations. Individuals, agencies, organizations, students and interested third parties have the right to file a complaint regarding an alleged violation of federal and/or state laws, statute or regulation, including allegations of unlawful discrimination.

As a recipient of federal dollars, Peninsula Family Service is required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a non-discriminatory basis. Peninsula Family Service has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in the Federal Transit Administration Circular 4702.1B, dated October 1, 2012.

Any participant who believes that he or she has been discriminated against on the basis of race, color or national origin by Peninsula Family Service may file a Title VI written complaint by completing and submitting the agency's Title VI Complaint Form. Peninsula Family Service investigates complaints received no more than 180 days after the alleged incident. Peninsula Family Service will process complaints that are complete. In addition, Peninsula Family Service prohibits intimidation, coercion or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI.

Peninsula Family Service encourages complaints to be initially filed with Peninsula Family Service. Once the complaint is received, Peninsula Family Service will review it to determine if our office has jurisdiction. The participant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

In cases where the participant is unable or incapable of providing a written statement but wishes Peninsula Family Service to investigate alleged discrimination, a verbal complaint of discrimination may be made. The participant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist the participant in converting the verbal complaint to writing. Translation services will be provided to all participants, as necessary. All complaints must however, be signed by the participant or his/her representative.

Information for filing a Title VI complaint can be obtained by contacting Peninsula Family Service directly at 650-403-4300 x4614.

Complaint Format

All complaints must be in writing and signed by the participant or his/her representative before action can be taken. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination. Peninsula Family Service will provide the participant or his/her representative with a written acknowledgement that Peninsula Family Service has received the complaint within ten working days.

The following complaint information will be tracked on Peninsula Family Service's Title VI Complaint Tracking Report:

- a. Date the complaint was received by Peninsula Family Service
- b. Date acknowledgement letter was sent to the participant
- c. Entity (i.e., participant and his/her representative)
- d. Protected class
- e. Program/Activity/Service
- f. Summary of the allegation
- g. Status of the complaint
- h. Was the complaint investigated? Yes or No
- i. Date response letter was sent to the participant
- j. Additional action taken

Determination of Investigative Merit

Peninsula Family Service will begin an investigation within fifteen (15) working days of receipt of a valid complaint. A complaint shall be regarded as meriting investigation unless:

1. It clearly appears on its face to be frivolous or trivial.
2. Within the time allotted for making the determination of jurisdiction and investigative merit, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action.
3. Within the time allotted for making the determination of jurisdiction and investigative merit, the participant withdraws the complaint; or
4. Other good cause for not investigating the complaint exists (e.g., respondent is presently under investigation by another federal agency).

Request for Additional Information from Participant and/or Respondent

In the event that the participant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, Peninsula Family Service may request additional information from either party. This request shall be made within 15 business days of the receipt of the complaint and will require that the party submit the information within 60 business days from the date of the original request. Failure of the participant to submit additional information within the designated time may be considered good cause to administratively close the case. A case can be administratively closed also if the participant no longer wishes to pursue the case. Failure of the respondent to submit additional information within the designated time frame may be considered good cause for a determination of noncompliance.

Investigative Report

Peninsula Family Service will complete an investigation within ninety (90) days of receipt of the complaint. If additional time for the investigation is needed, the participant will be contacted. A written report will be prepared by the responsible investigator at the conclusion of the investigation. The investigative report will include the following:

1. Summary of the complaint, including a statement of the issues raised by the participant and the respondent's reply to each of the allegations, citations of relevant Federal, State and Local laws, rules, regulations and guidelines, etc.
2. Description of the investigation, including a list of the persons contacted by the investigator and a summary of the interviews conducted; and a statement of the investigator's findings and recommendations.

After the investigator reviews the complaint, she/he will issue one of two letters to the participant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the participant wishes to appeal the decision, she/he has 60 days after the date of the letter or the LOF to do so.

Participants may submit signed written complaints to Peninsula Family Service or directly to the Federal Transit Administration. Mailing addresses are identified below:

Peninsula Family Service

Attention: Larry Diskin, Interim Director of Human Resources
24 Second Avenue
San Mateo, CA 94401
Phone: 650-403-4300 x4614
Fax: 650-403-4303
Email: ldiskin@peninsulafamilyservice.org

Federal Transit Administration

FTA Office of Civil Rights
East Building, 5th Floor – TCD
1200 New Jersey Ave., SE
Washington, DC 20590

If information is needed in another language, contact 650-403-4300 x4614.

Si se necesita más información en otro idioma, contactar 650-403-4300 x4614.

Kung ang impormasyon ay kinakailangan sa ibang wika, makipag-ugnayan sa 650-403-4300 x4614.