

**Department of Motor Vehicles
Title VI Discrimination Complaint Procedures**

Introduction

The Department of Motor Vehicles (DMV) has established this ‘Complaint of Discrimination’ Procedure as a mechanism for the review and resolution of allegations of discrimination. These procedures apply to **complaints filed under Title VI of the Civil Rights Act of 1964** which prohibits discrimination on the basis of race, color and national origin in any program or activity administered by the Department or its sub-recipients, consultants and/or contractors. Retaliation or intimidation of any kind is also prohibited by law.

These procedures do not negate or limit the right of the complainant to file formal complaints with other state or federal agencies. These procedures are part of an administrative process that does not provide for remedies such as compensatory damages for the complainant.

The Department’s Title VI Coordinator serves as a resource for members of the public who wish to file a discrimination complaint under Title VI and related statutes. The Title VI Coordinator is located in DMV’s central office at 60 State Street, Wethersfield, CT. She is responsible for conducting counseling and investigations of alleged incidences of discrimination. The complainant, the individual making a complaint, is advised of his/her rights under State and Federal laws and is given a copy of this procedure.

Complaint Basis

Allegations must be based on issues involving race, color or national origin. The term basis refers to the complainant’s protected group status. A Protected group is a group of people with common characteristics who are legally protected from discrimination on the basis of that characteristic.

Protected Group Categories and definitions relevant to this procedure:

Category	Definition	Example
Race	The perception based on physical characteristics that a person is a member of a racial group.	Black, white, Native American Indian.
Color	color and/or shade of skin within a racial group	Black, white, dark or light brown, etc . .
National Origin	A group of people who share a common language, culture, ancestry and/or other social characteristics. Includes discrimination based on heritage or country of original citizenship. Also includes discrimination based on language or a person’s accent.	Cuban, Vietnamese, Mexican

Complaint Process

Any individual or group of individuals who believes that he/she or they have been subjected to discrimination prohibited by Title VI nondiscrimination procedures based on race, color or national origin (including Limited English Proficiency) may file a written complaint to the 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. The complaint must meet the following requirements:

- Complaints must be made in writing to the Title VI Coordinator.
- Complaints should be submitted on the 'Title VI Discrimination Complaint Form' and signed by the complainant(s).
- Include the full name and address of the complainant;
- Include the date of the alleged act of discrimination
- The full name, job title, and work address of the alleged accused party/ies, if known.
- A detailed description of the alleged act of discrimination (specify all issues and circumstances of the alleged discrimination.)
- Identify the basis of the complaint i.e. race, color, national origin (includes limited English Proficient (LEP).) Include the name address and telephone number of any person who may have knowledge of the alleged incident.

In order for complaints to be accepted, they must be filed within 180 days of the alleged act of discrimination, meet the above procedures for filing, and allegations must be based on issues pertaining to race, color or national origin (includes limited English proficiency (LEP).)

A complaint may be dismissed if the complainant request the withdrawal of the complaint, the complainant does not respond to numerous requests for information necessary to process the complaint, or the complaint is not filed timely.

In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in transcribing the verbal complaint into a written complaint. However, all complaints must be signed by the complainant.

Every reasonable effort will be made to obtain early resolution of complaints at the lowest possible level. Complainants also have a right to an attempt by the Coordinator to an informal resolution to their complaint if desired, to include mediation between the affected parties and the Coordinator.

Complaint Investigation

Following the receipt and review of the complaint, the Coordinator, or a designee, will issue a letter acknowledging receipt of the complaint.

1. The accused party will be notified that a complaint has been filed against him/her prior to commencement of the investigation. In addition, when applicable, the accused party is advised of his/her right to representation by the union or any other appropriate representative of his/her choice.

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2. Barring extenuating circumstances outside of the investigators control, the investigator will conduct a fact finding investigation and provide a resolution, if one is possible, within ninety (90) business days of receipt of the complaint and notify all involved parties in writing whether or not there was a violation of Title VI. This will include notification to the complainant of his/her right to appeal the results to the Office of the Commissioner of Motor Vehicles.
3. All investigation findings will be reported to the Commissioner or his or her designee.
4. Should the complainant elect to appeal the decision, he/she must do so in writing to the Office of the Commissioner of Motor Vehicles within ten (10) business days after receipt of the complaint resolution proposed by the Coordinator or investigator designee. Failure to appeal within this period shall be interpreted as acceptance of this resolution.
5. The Commissioner or his/her designee will review the case to determine what, if any additional information is needed. In the event that additional information is required from the appellant, he/she will be provided reasonable advance notice of a meeting and will be advised of his/her right to present relevant information at that time.
6. The Commissioner or his/her designee will render a written decision regarding the appeal, no later than thirty (30) business days from the date of the filing of the appeal which will be sent to the appellant. Should this decision differ from the findings of the investigation, it will also be sent to all parties involved and the Office of the Title VI Coordinator. **The decision of the Commissioner or his/her designee is final.** This however, does not preclude the complainant from pursuing other means of resolution under federal and/or state law.

All records of complaints and dispositions thereof shall be maintained and regularly reviewed by the Title VI Coordinator who will pay particular attention to the detection of any patterns in the nature of the complaints. All such records shall be retained on a strictly confidential basis, except where disclosure is required by law.