

CAPE FEAR PUBLIC TRANSPORTATION AUTHORITY TITLE VI POLICY AND COMPLAINT PROCESS

The Cape Fear Public Transportation Authority (Wave Transit) grants equal access to its programs and services to all citizens. This document serves to make citizens aware of their rights to such access, and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.

WHAT IS TITLE VI?

Title VI is a section of the Civil Rights Act of 1964 requiring 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 subjected to discrimination under any program or activity receiving federal financial assistance.” Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

WAVE TRANSIT TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by the Cape Fear Public Transportation Authority.

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. 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 Wave Transit may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

- 1) A formal complaint must be filed within one-hundred eighty (180) days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. A Wave Transit Title VI complaint form can be found at the end of this document. Wave Transit encourages individuals to submit Title VI complaints in writing using this form and mailing it to:

**Title VI Coordinator
Cape Fear Public Transportation Authority
P.O. Box 2258
Wilmington, NC 28402**

- 2) 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 Wave Transit Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Wave Transit Title VI Coordinator will assist the complainant in completing a written statement.

- 3) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail.
- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided sixty (60) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5) Within fifteen (15) business days from receipt of a complete complaint, Wave Transit will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the authority director or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of the authority's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When Wave Transit does not have sufficient jurisdiction, the director or his/her authorized designee will refer the complaint to the appropriate local, state or federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the director or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the director within sixty (60) days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
- 8) The director or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety (90) days from receipt of the complaint.
- 9) If the Complainant is dissatisfied with the authority's resolution of the

complaint, he/she has the right to file a complaint with:

**New Hanover County Human Relations Commission
801 Princess Street, Suite 101
Wilmington, NC 28401**

-or-

**Civil Rights Compliance Officer
FTA Region IV
230 Peachtree, NW
Suite 800
Atlanta, GA 30303
Telephone (404) 865-5600
Fax (404) 865-5605**



Cape Fear Public Transportation Authority

TITLE VI COMPLAINT FORM

INSTRUCTIONS: If you would like to submit a Title VI Complaint to the Cape Fear Public Transportation Authority, please complete the form below and return to: Wave Transit, Attention: Title VI Coordinator, P.O. Box 2258, Wilmington, NC 28402. For questions, please contact Wave Transit at (910) 343-0106 or email to: wavetransit@wavetransit.com

1. Name (Complainant):
2. Phone:
3. Home Address (street #, city, state, zip code):
4. If applicable, the name of the person(s) who you believe discriminated against you:
5. Date of the incident:
6. Discrimination based on (please check all that apply):

Race Color National Origin
7. Briefly explain what happened and how you feel you were discriminated against. Please include how you feel that others were treated differently than you.
8. Why do you believe these events occurred?
9. Is there any other information that you feel may be relevant to this investigation?
10. How can these issues be resolved to your satisfaction?
11. Please list any person(s) who we can contact for additional information or to support/clarify your complaint:
Name: Address: Phone Number:
12. 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 Court
State Agency Local Agency

If filed at an agency and/or court, please provide information on a contact person at that agency/court:

Agency/Court Contact's Name: Address: Phone Number:

Signature (Complainant): _____

Date of Filing: _____