



## TITLE II AND TITLE VI COMPLAINT PROCEDURES

disABILITYsa is committed to ensuring that no person is excluded from participation in, or denied the benefits of its service, or otherwise subjected to discrimination, on the basis of disability— as protected by Title II of the Americans with Disabilities Act (ADA)— or on the basis of race, color, or national origin— as protected by Title VI of the Civil Rights Act of 1964, as amended (“Title VI”).

These policies ensure that all individuals have equal access to and benefit from our services, programs, and activities.

Any person who believes that he or she has been subjected to discrimination under these protections may file a complaint with disABILITYsa within 180 days from the date of the alleged discrimination.

### FILING A COMPLAINT

Any person who believes she or he has been discriminated against on the basis of disability, race, color, or national origin by disABILITYsa may file a complaint by completing and submitting the organization’s Complaint Form within 180 days from the date of the alleged discrimination.

Complaint forms can be accessed and completed in the following formats:

- Digitally at [disabilitysa.org](https://disabilitysa.org)
- Printed from [disabilitysa.org](https://disabilitysa.org), completed by hand, and mailed to: disABILITYsa, P.O. Box 28243, San Antonio, Texas 78228
- Printed from [disabilitysa.org](https://disabilitysa.org), completed by hand, scanned, and emailed to: [access@disabilitysa.org](mailto:access@disabilitysa.org)
- Requested and completed in person at: 2515 Blanco Rd., San Antonio, Texas, 78212.

In addition to utilizing the Complaint process at disABILITYsa, Title II or Title VI complaints may be filed directly with external agencies, including State and Federal governments.

*Note: If the complainant simultaneously files a complaint with disABILITYsa and with an external organization, such as the state or federal government, jurisdiction and investigation will fall under the external agency instead of disABILITYsa, and disABILITYsa's investigation may be suspended.*

**Title II complaints** may be filed directly with the U.S. Department of Justice, either online at [www.ada.gov/file-a-complaint/](http://www.ada.gov/file-a-complaint/) or by mail to:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

**Title VI complaints** may be filed directly with the Federal Transit Administration (FTA):

Federal Transit Administration Office of Civil Rights  
Attn: Complaint Team  
East Building, 5th Floor TRC 1200 New Jersey Avenue SE  
Washington, DC 20590

## **CONTENTS OF COMPLAINT**

Complaint forms must be completed in full to be investigated. Minimum information required includes:

- A narrative description of the allegation(s) in sufficient detail to enable the EEO Office to understand what occurred, when it occurred, and the basis of the alleged discrimination complaint.
- All contact information for the complainant including name, address, and telephone number, as well as all contact information for all witnesses or individuals with relevant knowledge.
- The complaint must be signed and dated by the complainant or their representative.

## **REVIEW OF COMPLAINT**

Once the complaint form is received by disABILITYsa, it will be reviewed to determine whether the complaint constitutes a Title II or Title VI complaint. The complainant will receive an acknowledgement letter within ten (10) business

days informing them whether the complaint will be investigated and requesting more information, if needed, in order for the investigation to take place.

In the event more information is needed, disABILITYsa may contact the complainant. The complainant will have thirty (30) business days from the date of the request to provide the additional information. If the investigator is not contacted by the complainant or does not receive the requested information within thirty (30) business days, disABILITYsa can administratively close the case.

A case may also be administratively closed if the complainant no longer wishes to pursue their case.

### **INVESTIGATION OF COMPLAINT**

disABILITYsa has up to sixty (60) calendar days to investigate the complaint. However, the investigation timeline may be extended beyond the sixty (60) calendar days, within reason, by the discretion of the investigating office. The investigating office will take the following steps, at a minimum, to investigate the alleged discriminatory act.

- Identify and interview all persons with relevant knowledge including, the complainant, persons identified by the complainant, and witnesses;
- Identify and review all relevant documents, practices, policies & procedures to determine appropriate resolution.

### **COMPLETION OF INVESTIGATION/DISPOSITION**

Upon completion of the investigation, one of two determinations will be made and the complainant will be issued a letter explaining the decision.

If the investigation determines that the complaint does not constitute a violation as outlined by Title II or Title VI, or that there is insufficient evidence to make a determination, the case will be closed. The complainant will receive a ***closure letter*** summarizing the allegations and the reasoning for this determination.

If the investigation determines a violation has been made, the complainant will receive a ***letter of finding (LOF)*** summarizing the allegations, the interviews regarding the alleged incident, and an outline of the remedial action/resolution. Remedial actions may take the form of disciplinary action, additional training of the staff member, or other actions deemed appropriate.

## COMPLAINT APPEAL PROCESS

If the complainant is not satisfied with the disposition or resolution of their complaint and wishes to appeal the decision, they may appeal directly to the following:

disABILITYsa  
Attn: Executive Director  
P.O. Box 28243  
San Antonio, Texas 78228

Appeals must be in writing, submitted within thirty (30) business days of the date of disposition/resolution of the complaint. Complaint must include the name, address and telephone number of the complainant, and must state the basis why the complainant believes the disposition or resolution of the complaint was wrong. disABILITYsa's executive director will set a mutually agreed upon time and place for review and consideration of the appeal with the complainant. The Executive Director will issue a written determination of the appeal within fifteen (15) business days of the date of the review.