

# 2022-2023 Title VI Annual Report

Grundy County, Iowa





# TITLE VI ANNUAL UPDATE AND ACCOMPLISHMENT REPORT

**GRUNDY COUNTY, IOWA**

(Name of Recipient)

**August 14, 2023**

(Report Submission Date)

**AUGUST 1, 2022 TO JULY 31, 2023**

(Reporting Period)

1. Report any changes in the organizational structure since the last reporting period.  
(Example: New Title VI Coordinator, new planning or public works directors, etc).
  - Report should identify the changes in the racial/gender composition of those persons involved in the transportation decision making, including planning and advisory staff.
  - Grundy County Board of Supervisor Chairperson is **Vic Vanderhaar** for 2023.

**Grundy County Board of Supervisors appointed Gary Mauer, Grundy County Engineer, as Title VI Coordinator on June 17<sup>th</sup>, 2013.**

2. Using the most current data available (through US Census Bureau), describe the demographics within your jurisdiction.
  - a. Describe any required Title VI activities and/or studies conducted that provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits.
  - b. How was the information utilized or Title VI provisions and needs applied in each study or activity?

**Population (2020 est.) = 12,087**  
**Persons under 5 Yrs. old = 5.4%**  
**Persons under 19 Yrs. old = 22.7%**  
**Persons 65 Yrs and over = 21.2%**

**Female persons = 50.5%**  
**White alone = 87.9%**  
**Black or African American alone = 0.6%**  
**Asian alone = 0.4%**  
**Native Hawaiian (& other Pacific Islander) alone = 0.1%**  
**Hispanic or Latino = 1.2%**  
**Persons below poverty level = 5.5%**  
**Total Foreign Born = 1.3%**  
**Challenged/Disabled = 10.1%**

3. List any Public outreach activities during the reporting period such as, public announcements and/or communications for meetings, hearings, project notices. Include the following:
  - a. How were special language needs assessed? List the special language needs assessments conducted. Through IDOT bid letting procedures.
  - b. What outreach efforts did you utilize to ensure that minority, women, low-income, and LEP population groups were provided equal opportunity to participate in those outreach activities. (Examples: provided materials in other languages, met with local social services agencies, advertised in a minority publication). Through IDOT bid letting procedures
  - c. List the special language services provided – note the professional language service provided including the name of the service, date provided, number of persons served, and any other relevant information. None required.
  - d. List any costs incurred for translations and interpreters for each activity. None.

**No translators were utilized or needed this reporting period.**

4. List all the transportation related contracts (Federal and others) that were executed during the reporting period. (Please include construction, consultant agreements for planning, design, engineering, environmental, research, maintenance, etc.)
  - Include dollar value of each. See Below
  - Other than advertising in your local legal publication, what outreach was made to DMWBE firms that a contracting opportunity existed within your agency? **Per IDOT Bid Letting Procedures.**
  - Identify the DMWBE contracts that were awarded and their dollar amount.
  - Is there a Title VI Non-Discrimination statement included in all contracts and public notices? **Included in IDOT Bid Letting Procedures.**
  - How did your organization ensure that minority, women, and disadvantaged firms were provided equal opportunity to participate in the contracting arena? **Included in IDOT Bid Letting Procedures.**

**Bridge B-21 or BROS--SWAP-CO38(125)—SE-38 was publicly let on December 21, 2021 and awarded to low bidder PCI of Reinbeck, Iowa in the amount of \$507,684.25. The Iowa Department of Transportation administered all pre-bid documents and contracts in accordance federal rules and requirements. This project started on July 26, 2022 and completed on November 14, 2022.**

**Safety Improvement Project No. HSIP-SWAP-CO38(127)—FJ-38 was publicly let on May 17, 2022 and awarded to low bidder Iowa Plains Signing, Inc. Slater, Iowa in the amount of \$47,822.00. This project will utilize federal safety funds to add safety features such as solar flashing Stop Signs and rumble strip panels at two intersections – County Roads T55/D35 and County Road D17/State Hwy 14. The project had a late start date of October 10, 2022 and was completed on October 20, 2022.**

5. Summarize any transportation projects that identify potential impacts to minority and/or low-income Environmental Justice (EJ) populations (i.e., impacts such as displacements, increased noise, bisecting neighborhoods, et al). Note the following: **None**.
  - How impacts were minimized/mitigated.
  - Also include a statement, if applicable, on projects that specifically benefit community cohesion such as: adding sidewalks, improving access to properties that improve access for EJ populations.

**No impacts to minority and/or low-income EJ populations.**

6. If Right of Way has been acquired for a transportation project, please describe:
  - Identify the number of minorities, low-income, elderly and disabled persons affected. **None**.
  - The efforts that were made to address Limited English Proficiency issues (including use and cost of translators, outreach efforts for each reported activity).
  - Describe any concerns raised by minorities and women regarding appraisals, negotiations, relocation assistance, and payments. What actions were taken to resolve those issues?

**No Federal Aid was utilized to fund Right of Way acquisition.**

7. List and describe any Title VI related complaints, as a result of transportation activities and projects. Include:
  - What was the allegation or concern?
  - Procedures used
  - Action taken
  - Resolution

**No Title VI complaints were filed.**

**The Board of Supervisors approved Resolution Number 24-2022/2023 to adopt Title VI Plan, Title VI Non-Discrimination Agreement**

Respectfully submitted by,   
Gary Mater, Title VI Coordinator

8-14-23  
Date

**RESOLUTION #24-2022/2023**

**WHEREAS**, Grundy County desires to adopt the Title VI Plan and Title VI Nondiscrimination Agreement with Iowa Department of Transportation, and

**WHEREAS**, the Title VI Plan is covered under Civil Rights Act of 1964, and

**WHEREAS**, the Grundy County Engineer, Gary Mauer, is appointed as Grundy County Title VI Coordinator for Grundy County.


**NOW THEREFORE BE IT RESOLVED** that the Board of Supervisors of Grundy County approves and adopts the Grundy County Title VI Plan and approves the Title VI Nondiscrimination Agreement with Iowa Department of Transportation.

Adopted and approved on January 3, 2023.



Chairperson  
Grundy County Board of Supervisors

Attest:

By:   
Rhonda R. Deters  
Grundy County Auditor

Date: January 3, 2023





**COUNTY OF  
GRUNDY  
“2023” TITLE VI PLAN**

**Grundy County  
PO Box 127  
22580 M Avenue  
Grundy Center, Iowa, 50638  
Phone 319-824-6912**



## COUNTY of GRUNDY

### TITLE VI POLICY STATEMENT

*GRUNDY COUNTY* assures that no person shall, on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The County of Grundy further assures every effort will be made to ensure nondiscrimination in all its committees, programs and activities, regardless of the funding source.


The *GRUNDY COUNTY* will include Title VI language in all written agreements and bid notices and will monitor compliance.

The County Engineer of *GRUNDY COUNTY* will be responsible for initiating and monitoring Title VI activities, and all other responsibilities as required.

  
\_\_\_\_\_  
Gary J. Maier, Grundy County Engineer

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Vic Vandelaar, Chairperson (VICE)  
Barbara L. Smith

  
\_\_\_\_\_  
Date

This Plan and Policy Statement were adopted at a regular Board of Supervisors meeting held on August 14, 2023.

## **TITLE VI AUTHORITIES**

Title VI of 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 {S.557} March 22, 1988).

## **TITLE VI COORDINATOR RESPONSIBILITIES**

The County Engineer is responsible for ensuring the implementation and the day-to-day administration of *GRUNDY COUNTY* Title VI Plan. The County Engineer is also responsible for implementing, monitoring, and ensuring the County’s compliance with the Title VI regulations.

## **GENERAL RESPONSIBILITIES**

### **A. Public Dissemination**

*GRUNDY COUNTY* will disseminate Title VI Program information to County’s employees, sub-recipients, and contractors, as well as the general public. Public dissemination will include posting of public statements, inclusion of Title VI language in contracts, and announcements of hearings, and meetings in minority newspapers when determined necessary and funding is available.

### **B. Prevention of Discrimination**

Procedures will be implemented to detect and eliminate discrimination when found to exist, including, but not limited to, issues of accessibility of training to all qualified County employees, utilization of Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement and material acquisition.

### **C. Annual Reports**

The County Engineer will be responsible for ensuring an annual report is prepared by August 1<sup>st</sup> of each year and submitted to Iowa DOT by September 1<sup>st</sup> of each year. The report will review Title VI accomplishments and goals for the upcoming year.

### **D. Remedial Action**

The *GRUNDY COUNTY* will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance through a program review with the program administrative requirements. If irregularities occur in the administration of the program’s operation, procedures will be promptly implemented to resolve Title VI issues and

reduce to writing remedial action agreed to be necessary, all within a period not to exceed 90 days.

Iowa DOT will be notified of any complaint filed at *GRUNDY COUNTY* involving Title VI issues, as any resolution.

## **FILING A COMPLAINT**

### Applicability

The complaint procedures apply to the beneficiaries of *GRUNDY COUNTY* programs, activities, including but not limited to the public, contractors, sub-contractors, consultants, employees, and other sub-recipients of federal and state funds.

### Eligibility

If any individual, group or individuals, or entity believes that they or any other program beneficiaries have been subjected to discrimination prohibited by Title VI nondiscrimination provision as a recipient of benefits and/or services, or on the grounds of race, color, national origin, or sex, they may exercise the right to file a complaint with *GRUNDY COUNTY ENGINEER and/or ATTORNEY*. Every effort will be made to resolve complaints informally at the agency, recipient and/or contractor level.

### Time Limitation on Filing Complaints

Title VI complaints may be filed with:

- Grundy County
- Iowa Department of Transportation
- Federal Highway Administration
- U.S. Department of Transportation
- Iowa Labor Services Division

In all situations, *GRUNDY COUNTY* employees must contact the County Administrator immediately upon receipt of Title VI or related statutes complaints.

Complaints must be filed not later than 180 days after:

- The date of the alleged act of discrimination; or
- The date the person became aware of the alleged discrimination; or
- Where there has been a continuing course of discriminatory conduct, the date on which the conduct was discontinued.

Complaints must be in writing and must be signed by the complainant and/or the complainant's representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

A Title VI complaint form is available at the *GRUNDY COUNTY ENGINEER'S* office during normal business hours.

## COMPLAINT PROCESSING

1. The County Engineer acting as the Title VI Coordinator will review the complaint upon receipt to ensure that all information is provided, the complaint meets the 180-day filing deadline and falls within the jurisdiction of the County.
2. The County Engineer will then investigate the complaint. If the complaint is against the County Engineer, then the Chairperson and/or Board of Supervisors or its designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the County Attorney.
3. If the complaint warrants a full investigation, the complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency. The County will also notify the Iowa Department of Transportation Office of Employee Services – Civil Rights of the investigation.
4. The party alleged to have acted in a discriminatory manner will also be notified by certified mail as to the complaint. This letter will also include the investigator's name and will request that this party be available for an interview.
5. Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator.
6. Once the County of Grundy has notified the Iowa Department of Transportation's Office of Employee Services/Civil Rights of its investigative report findings, the County will adopt a final resolution.
7. All parties will be properly notified of the outcome of the *GRUNDY COUNTY* investigative report.
8. If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal *GRUNDY COUNTY* decision. Appeals must be filed within 180 days after the County of Grundy's final resolution. Unless new facts not previously considered come to light, reconsideration of the County's determination will not be available.

The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled "Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes," available online at <http://www.usdoj.gov/crt/cor/Pubs/manuals/complain.html>.

**GRUNDY COUNTY  
TITLE VI COMPLAINT FORM**

This form may be used to file a complaint with the County of Grundy based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form, a letter that provides the same information may be submitted to file your complaint.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (cell/home) \_\_\_\_\_ (work)

Individual(s) discriminated against, if different than above (use additional pages if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Please explain your relationship with the individual(s) indicated above: \_\_\_\_\_

\_\_\_\_\_

Name of agency and department or program that discriminated:

Agency or Department Name: \_\_\_\_\_

Name of Individual (if known): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Date(s) of alleged discrimination:

Date discrimination began \_\_\_\_\_

Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:**

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

Race/Color \_\_\_\_\_  
National Origin \_\_\_\_\_  
Sex \_\_\_\_\_  
Income Status \_\_\_\_\_

Religion \_\_\_\_\_  
Age \_\_\_\_\_  
Disability \_\_\_\_\_  
Limited English Proficiency \_\_\_\_\_

Explain:

Please explain as clearly as possible what happened. Provide the name(s) of witness (es) and others involved in the alleged discrimination. (Attach additional sheets if necessary and provide a copy of written material pertaining to your case).

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Note:** GRUNDY COUNTY prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the County. Please inform the County Administrator if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.



**APPENDIX A      Receipt of Complaint Letter (sample)**

Today's Date

Name

Address

City, State, Zip

Dear \_\_\_\_\_:

This letter is to acknowledge receipt of your complaint against the County of Grundy alleging \_\_\_\_\_.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 319-824-6912 or write to me at this address.

Sincerely,

**Title VI Coordinator  
Grundy County Engineer  
County of Grundy  
PO Box 127  
22580 M Avenue  
Grundy Center, Iowa 50638**

**APPENDIX B      Letter Notifying Complainant that the Complaint Is Substantiated  
(sample)**

Today's Date

Name  
Address  
City, State, Zip

Dear \_\_\_\_\_:

The matter referenced in your letter of \_\_\_\_\_ (date) against the County of GRUNDY alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. **(If a hearing is requested, the following sentence may be appropriate.)** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

**Title VI Coordinator  
Grundy County Engineer  
County of Grundy  
PO Box 127  
22580 M Avenue  
Grundy Center, Iowa 50638**

## COUNTY of GRUNDY

### TITLE VI POLICY STATEMENT

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The *GRUNDY COUNTY* will include Title VI language in all written agreements and bid notices and will monitor compliance.

The County Engineer of *GRUNDY COUNTY* will be responsible for initiating and monitoring Title VI activities, and all other responsibilities as required.

  
\_\_\_\_\_  
Gary J Maher, Grundy County Engineer

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Vic Vandelaar, Chairperson (Vice)  
Barbara L. Smith

  
\_\_\_\_\_  
Date

This Plan and Policy Statement were adopted at a regular Board of Supervisors meeting held on August 14, 2023.

**Title VI Non-Discrimination Agreement  
Iowa Department of Transportation  
and  
Grundy County, Iowa**

**RECEIVED**  
AUG 17 2023  
CIVIL RIGHTS  
IOWA DEPT OF TRANSPORTATION

**Agency Information**

Name and title of administrative head:

Name: Vic Vandehaar Title: Chairperson, Grundy County, Iowa

Address: 706 G Avenue

City: Grundy Center State: IA ZIP Code: 50638 County: Grundy

Phone/FAX: 319 824 5816/6098 Email: vic.vandehaar1@gmail.com

Name and title of designated Title VI coordinator:

Name: Gary Mauer Title: Title VI Coordinator/County Engineer

Address: 22580 M Avenue, PO Box 127

City: Grundy Center State: IA ZIP Code: 50638 County: Grundy

Phone/FAX: 319 824 6912/6913 Email: gary.mauer@grundycountyiowa.gov

\*If the Title VI coordinator changes, please contact the Iowa DOT Title VI specialist.

**Title VI Program**

**I. Organization and staffing**

Pursuant to 23 C.F.R. § 200, Grundy County, Iowa has appointed a Title VI coordinator identified above, who is responsible for implementing and monitoring the local public agency's (LPA's) Title VI program per this agreement, and is the representative for issues and actions pertaining to this agreement. The LPA will provide the Iowa Department of Transportation with a copy of the LPA's organizational chart that illustrates the level and placement of the Title VI coordinator.

The LPA will notify the Iowa DOT in writing of any changes to the LPA's organization chart, Title VI coordinator or Title VI coordinator contact information.

**II. Assurances required**

Pursuant to 49 C.F.R. § 21.7, every application for federal financial assistance or continuing federal financial assistance must provide a statement of assurance and give reasonable guarantee that the program is (or, in the case of a new program, will be) conducted in compliance with all requirements imposed by or pursuant to 49 C.F.R. § 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964). Fully executed standard DOT Assurances (including Appendices A, B and C) are attached to this agreement.

### III. Implementation procedures

This agreement shall serve as the LPA's Title VI plan pursuant to 23 C.F.R. § 200 and 49 C.F.R. § 21. For the purpose of this agreement, "federal assistance" shall include all of the following.

- Grants and loans of federal funds.
- The grant or donation of federal property and/or interest in property.
- The detail of federal personnel.
- The sale and lease of, and permission to use (on other than a casual or transient basis), federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the LPA, or in recognition of the public interest to be served by such sale or lease to the LPA.
- Any federal agreement, arrangement or other contract that has as one of its purposes the provision of assistance.

The LPA shall:

1. Issue a policy statement, signed by the head of the LPA, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the LPA's organization and to the public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by the Iowa DOT, Federal Highway Administration or U.S. Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, to implement Title VI compliance in accordance with this agreement. The head of the LPA shall be held responsible for implementing Title VI requirements.
3. Designate a Title VI coordinator who has a responsible position in the organization and easy access to the head of the LPA. The coordinator shall be responsible for implementing and monitoring Title VI activities and preparing required reports.
4. Develop and implement a public involvement plan that includes low-income and minority community outreach and ensures those persons who are limited-English proficient (LEP) can access services.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigations. Identify each complainant by race, color, national origin or gender, the nature of the complaint, date the complaint was filed, date the investigation was completed, disposition, date of disposition, and other pertinent information. A copy of the complaint, together with a copy of the LPA's report of investigation, shall be forwarded to the Iowa DOT's civil rights coordinator within 60 days of the date the complaint was received by the LPA.
6. Collect statistical data (race, color, national origin, age, gender, disability, LEP and income of populations in service area) of participants in, and beneficiaries of, the programs and activities conducted by the LPA.
7. Conduct Title VI self-assessment of the LPA's program areas and activities, and of second-tier sub-recipients, contractor/consultant program areas and activities. Where applicable, revise policies, procedures and directives to include Title VI requirements. Ensure that programs, policies, and other activities do not have disproportionate adverse effects on minority and low-income populations.
8. Conduct training programs on Title VI and related statutes.
9. Prepare a yearly report of Title VI accomplishments and changes to the program covering the prior year, and identify goals and objectives for the coming year.
  - o **Annual work plan:** Outline Title VI monitoring and review activities planned for the coming year; and indicate a target date for completion.
  - o **Accomplishment report:** List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI coordinator and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special internal and external reviews conducted by the Title VI coordinator. List any major problem(s) identified and corrective action(s) taken. Include a summary and status report on any Title VI complaints filed with the LPA. Include a listing of complaints received against second-tier sub-recipients, if any, as well as a summary of complaints and actions taken.
10. Include Title VI compliant language in all contracts to second-tier sub-recipients.

**IV. Discrimination complaint procedures – allegations of discrimination in federally assisted programs or activities**

The LPA adopts the following discrimination complaint procedures for complaints relating to federally assisted transportation-related programs or activities.

1. **Filing a discrimination complaint:** Any person who believes that he or she, or any class of individuals, or in connection with any disadvantaged business enterprise, has been or is being subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d; the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq.; and the Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, has the right to file a complaint.

Any individual wishing to file a discrimination complaint must be given the option to file the complaint with the LPA, or directly with the Iowa DOT, FHWA, USDOT and U.S. Department of Justice. Complaints may be filed with all agencies simultaneously.

No individual or agency shall refuse service, discharge or retaliate in any manner against any persons because that individual has filed a discrimination complaint, instituted any proceeding related to a discrimination complaint, testified, or is about to testify, in any proceeding or investigation related to a discrimination complaint, or has provided information or assisted in an investigation.

2. **Complaint filing time-frame:** A discrimination complaint must be filed within 180 calendar days of one of the following.
- (a) The alleged act of discrimination.
  - (b) Date when the person(s) became aware of the alleged discrimination
  - (c) Date on which the conduct was discontinued, if there has been a continuing course of conduct.

The LPA or their designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. **Contents of a complaint:** A discrimination complaint must be written. The document must contain the following information.
- a) The complainant's name and address, or other means by which the complainant may be contacted.
  - b) Identification of individual(s) or organization(s) responsible for the alleged discrimination.
  - c) A description of the complainant's allegations, which must include enough detail to determine if the LPA has jurisdiction over the complaint and if the complaint was filed timely.
  - d) Specific prohibited bases of alleged discrimination (i.e., race, color, gender, etc.)
  - e) Apparent merit of the complaint.
  - f) The complainant's signature or signature of his/her authorized representative.

In the event that a person makes a verbal complaint of discrimination to an officer or employee of the LPA, the complainant shall be interviewed by the LPA's Title VI coordinator. If necessary, the Title VI coordinator will assist the complainant in reducing the complaint to writing and then submit the written version of the complaint to the person for signature.

4. **Complaints against the LPA:** Any complaints received against the LPA should immediately be forwarded to the Iowa DOT for investigation. The LPA shall not investigate any complaint in which it has been named in the complaint. The contact information for the Iowa DOT's Title VI program is:

Iowa Department of Transportation  
Civil Rights Bureau  
800 Lincoln Way  
Ames, Iowa 50010  
515-233-7970  
515-232-6739 (FAX)  
civilrights@iowadot.us

5. **Notice of Receipt:** All complaints shall be referred to the LPA's Title VI coordinator for review and action. Within 10 days of receipt of the discrimination complaint, the coordinator shall issue an initial written Notice of Receipt that:
- a) Acknowledges receipt of the discrimination complaint.
  - b) Advises the complainant of his/her right to seek representation by an attorney or other individual of his or her choice in the discrimination complaint process.
  - c) Contains a list of each issue raised in the discrimination complaint.
  - d) Advises the complainant of the timeframes for processing the discrimination complaint and providing a determination.
  - e) Advises the complainant of other avenues of redress of their complaint, including the Iowa DOT, FHWA, USDOT and USDOJ.
6. **Notification of the Iowa DOT of a complaint:** The LPA shall advise the Iowa DOT within 10 business days of receipt of the complaint. Generally, the following information will be included in every notification to the Iowa DOT.
- a) Name, address and phone number of the complainant.
  - b) Name(s) and address(es) of alleged discriminating official(s).
  - c) Basis of complaint (i.e., race, color, national origin, gender).
  - d) Date of alleged discriminatory act(s).
  - e) Date of complaint received by the LPA.
  - f) A statement of the complaint.
  - g) Other agencies (state, local or federal) where the complaint has been filed.
  - h) An explanation of the actions the LPA has taken or proposed to resolve the issue identified in the complaint.
7. **Processing a complaint and time-frame:** The total time allowed for processing the discrimination complaint is 90 calendar days from the date the complaint was filed. There is no extension available at this level. This time-frame includes 60 calendar days at the LPA level and 30 days for review at the state level, if needed.

If the complainant elects to file a complaint with both the LPA and Iowa DOT, the complainant shall be informed that the LPA has 90 calendar days to process the discrimination complaint and the Iowa DOT shall not investigate the complaint until the 90 calendar-day period has expired.

Immediately after issuance of the Notice of Receipt to the complainant (step four), the LPA's Title VI coordinator shall either begin the fact-finding or investigation of the discrimination complaint, or arrange to have an investigation conducted.

Based on the information obtained during that investigation, the coordinator shall render a recommendation for action in a Report of Findings to the head of the LPA.

8. **Alternative dispute resolution/mediation process:** The complainant must be given an invitation to participate in mediation to resolve the complaint by informal means. The LPA's Title VI coordinator shall include an invitation to mediation with the Notice of Receipt, offering the opportunity to use the alternative dispute resolution/mediation process.

If the complaint selects mediation, it allows disputes to be resolved in a less adversarial manner. With mediation, a neutral party assists two opposing parties in a dispute come to an agreement to resolve their issue. The mediator does not function as a judge or arbiter, but simply helps the parties resolve the dispute themselves.

Upon receiving a request to mediate, the LPA's Title VI coordinator shall identify or designate a mediator who must be a neutral and impartial third party. The mediator must be a person acceptable to all parties and who will assist the parties in resolving their disputes.

If the complainant chooses to participate in mediation, she or he or the designee must respond in writing within 10 calendar days of the date of the invitation. This written acceptance must be dated and signed by the complainant and must also include the relief sought.

After mediation is arranged, a written confirmation identifying the date, time and location of the mediation conference shall be sent to both parties. If possible, the mediation process should be completed within 30 calendar days of receipt of the discrimination complaint. This will assist in keeping within the 90 calendar-day time-frame of the written Notice of Final Action if the mediation is not successful.

If resolution is reached under mediation, the agreement shall be in writing. A copy of the signed agreement shall be sent to the Iowa DOT's Title VI program coordinator. If an agreement is reached, but a party to it believes his/her agreement has been breached, the non-breaching party may file another complaint. If the parties do not reach resolution under mediation, the LPA's Title VI coordinator shall continue with the investigation.

9. **Notice of Final Action:** A written Notice of Final Action shall be provided to the complainant within 60 days of the date the discrimination complaint was filed. It shall contain:
- a) A statement regarding the disposition of each issue identified in the discrimination complaint and reason for the determination.
  - b) A copy of the mediation agreement, if the discrimination complaint was resolved by mediation.
  - c) A notice that the complainant has the right to file a complaint with the Iowa DOT, FHWA, USDOT or USDOJ within 30 calendar days after the Notice of Final Action, if she or he is dissatisfied with the final action on the discrimination complaint.

The LPA's Title VI coordinator shall provide the Iowa DOT's Title VI program coordinator with a copy of this decision, as well as a summary of findings upon completion of the investigation. Should deficiencies be noted in the implementation of these discrimination complaint procedures by the LPA, the Iowa DOT's Title VI program coordinator will work in conjunction with the LPA's Title VI coordinator to review the information and/or provide technical assistance in the discrimination complaint process, mediation process, and/or investigation.

10. **Corrective action:** If discrimination is found through the process of a complaint investigation, the respondent shall be requested to voluntarily comply with corrective action(s) or a conciliation agreement to correct the discrimination.
11. **Confidentiality:** LPA and Iowa DOT Title VI program coordinators are required to keep the following information confidential to the maximum extent possible, consistent with applicable law and fair determination of the discrimination complaint.
- a) The fact that the discrimination complaint has been filed.
  - b) The identity of the complainant(s).
  - c) The identity of individual respondents to the allegations.
  - d) The identity of any person(s) who furnished information relative to, or assisting in, a complaint investigation.
12. **Record keeping:** The LPA's Title VI coordinator shall maintain a log of complaints filed that alleged discrimination. The log must include:
- a) The name and address of the complainant.
  - b) Basis of discrimination complaint.
  - c) Description of complaint.
  - d) Date filed.
  - e) Disposition and date.
  - f) Any other pertinent information.

All records regarding discrimination complaints and actions taken on discrimination complaints must be maintained for a period of not less than three years from the final date of resolution of the complaint.



**V. Sanctions**

In the event the LPA fails or refuses to comply with the terms of this agreement, the Iowa DOT may take any or all of the following actions.

- a) Cancel, terminate or suspend this agreement in whole or in part.
- b) Refrain from extending any further assistance to the LPA under the program from which the failure or refusal occurred, until satisfactory assurance of future compliance has been received from the LPA.
- c) Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the LPA.
- d) Refer the case to the USDOJ for appropriate legal proceedings.

**IOWA DEPARTMENT OF TRANSPORTATION**

Grundy County, Iowa

Tracy Brackley  
Signature

Tracy Brackley  
Printed Name and Title

August 18, 2023  
Date

Barbara L. Smith  
Signature Vice-Chairperson

Vic Vandehoof Barbara L. Smith  
Printed Name and Title

8.14.23  
Date