

## **BROWARD METROPOLITAN PLANNING ORGANIZATION**

### **TITLE VI DISCRIMINATION COMPLAINT PROCEDURES**

The Broward Metropolitan Planning Organization (Broward MPO) values diversity and both welcomes and actively seeks input from all interested parties, regardless of cultural identity, background or income level. Moreover, the Broward MPO does not tolerate discrimination in any of its programs, services or activities. The Broward MPO will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status. The Broward MPO will actively work to ensure inclusion of everyone in our community so that Broward MPO programs, services and activities represent the diversity we enjoy.

The purpose of the Broward MPO Title VI program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), as well as other related federal and state statutes and regulations. These procedures have been adopted to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well to Florida Department of Transportation (FDOT) guidelines.

#### **COMPLAINT PROCEDURE**

##### **A. Filing of Title VI Complaints of Discrimination**

1. Any person who feels that he/she has been subjected to race, color, or national origin discrimination under Title VI of the Civil Rights Act of 1964, or other forms of discrimination based upon sex, age, disability, religion, family or income status discrimination under related nondiscrimination laws and regulations may file a complaint with the MPO.
2. A complaint must be filed within one hundred eighty (180) days after the date of the alleged discrimination, unless the time for filing is extended by the FTA, FHWA or other federal authorities.
3. Complaints should be in writing, signed by the complainant or his/her representative(s), and must include the complainant(s) name, address, and telephone number. Allegations of discrimination received via facsimile or e-mail will be acknowledged and processed. Allegations received by telephone will be documented in writing and provided to the complainant(s) for review before processing. The complaint form can be accessed on the website: [www.browardmpo.org](http://www.browardmpo.org) or you may call Erica Lychak at (954) 876-0033, if hearing impaired call Florida Relay Service 711 or 1-800-955-78771 or e-mail [lychake@browardmpo.org](mailto:lychake@browardmpo.org)

Signed complaint forms should be submitted to:

Attention: Broward Metropolitan Planning Organization  
Erica Lychak, Title VI Coordinator  
100 West Cypress Creek Road, Suite 650  
Fort Lauderdale, FL 33309

B. Complaint Investigation

1. Upon receipt of a signed complaint, the Broward MPO Executive Director or his/her designee will, within five (5) working days, provide the complaint or his/her representative with a written acknowledgement of the complaint.
2. Broward MPO Staff will conduct a preliminary inquiry into the complaint to determine whether the complaint has sufficient merit to warrant an investigation. Should Broward MPO Staff determine that the evidence presented is not sufficient to proceed, the complaint will be closed and the complainant or his/her representative will be notified in writing of the decision within fifteen (15) working days. This notification shall specifically state the reason(s) for the decision.
3. Should Broward MPO Staff determine that a full investigation is necessary, the complainant or his/her representative will be notified that an investigation will take place and additional information will be requested, if necessary. The investigation should last no more that forty-five (45) working days.
4. Should a complainant fail to provide additional information within the prescribed timeframe, this may be considered as a failure to cooperate with the investigation, and the complaint will be administratively closed.

C. Disposition

1. Upon completion of the investigation, a written notification of disposition will be sent by certified mail to the complainant or his/her representative within sixty (60) working days of filing the complaint.
2. If the complainant disagrees with the decision rendered by the Broward MPO, he/she will be notified of the right to request reconsideration with thirty (30) days, or to file a complaint with the FTA or FHWA Offices of Civil Rights, as applicable, at the following addresses:  
Federal Transit Administration, Region IV  
Office of Civil Rights  
61 Forsyth Street, S.W.  
Suite 17T50  
Atlanta, GA 30303-8917 / Telephone: (404) 562-3500

Federal Highway Administration  
Office of Civil Rights - Investigations and Adjudications  
HCR-40, Room E81-328  
1200 New Jersey Avenue, SE  
Washington, DC 20590

D. Retaliation

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the Broward MPO that persons filing a complaint of discrimination should have the right to do so without interference, intimidation, coercion, or fear of reprisal. Anyone who feels he/she has been subjected to retaliation should report such incident to the Executive Director.

**ADA/504 STATEMENT**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in the transportation planning process.

The Broward MPO will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Broward MPO will make every effort to ensure that its advisory committees and public involvement activities include representation by the disabled community and disability service groups.

The Broward MPO encourages the public to report any facility, program, service or activity that appears inaccessible to the disabled. Furthermore, the Broward MPO will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access Broward MPO facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the Broward MPO asks that requests be made at least seven (7) days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to:

Broward MPO  
Erica Lychak, Title VI Coordinator  
100 West Cypress Creek Road, Suite 650  
Fort Lauderdale, FL 33309  
(954) 876-0033  
[lychake@browardmpo.org](mailto:lychake@browardmpo.org)  
Florida Relay Service 711 or 1-800-955-8771

## LIMITED ENGLISH PROFICIENCY (LEP)

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

- **Factor 1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the Broward MPO's programs, services or activities.
- **Factor 2:** The frequency with which LEP individuals come in contact with these programs, services or activities.
- **Factor 3:** The nature and importance of the program, service, or activity to people's lives.
- **Factor 4:** The resources available and the overall cost to the Broward MPO.

Persons requiring a copy of the Broward MPO's Limited English Proficiency Plan or special language assistance should contact:

Broward MPO  
Erica Lychak, Title VI Coordinator  
100 West Cypress Creek Road, Suite 650  
Fort Lauderdale, FL 33309  
(954) 876-0033  
[ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)  
Florida Relay Service 711 or 1-800-955-8771