

## D. PROCEDURE FOR FILING A TITLE VI /ADA COMPLAINT

### Filing a Title VI Complaint

#### GENERAL

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin or disability by Lake of the Ozarks Developmental Center may file a written complaint with the Title VI Program Officer, PO Box 753, 1867 S. Business Highway 5, Camdenton, MO 65020. Every effort will be made to obtain early resolution of complaints.

#### PROCEDURE

1. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s). In instances where complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Program Officer will interview the complaint and assist the person in converting verbal complaints in writing. All complaints must be signed by the complainant or his/her representative.
  - b. Include your name, address, telephone number, and the date of the alleged act of discrimination or when the complainant became aware of the alleged act of discrimination.
  - c. Give a description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
  - d. Federal and state law requires complaints to be filed within 180 calendar days of the alleged incident.

Information on how to file a Title VI /ADA complaint may also be obtained by Calling Lake of the Ozarks Developmental Center – Title VI Program Officer – 573-346-4574.

Please submit your complaint form to Lake of the Ozarks Developmental Center, PO Box 753, Camdenton, MO 65020. Lake of the Ozarks Developmental Center will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, Lake of the Ozarks Developmental Center may contact the complainant. Unless a longer period is specified by Lake of the Ozarks Developmental Center, the complainant will have ten (10) days from the date of the letter to send requested information to the Lake of the Ozarks Developmental Center investigator assigned to the case.

If the requested information is not received within that time frame the case will be closed. Also, a case can be administratively closed if the complainant no longer wishes to pursue the case.

2. Upon receipt of the complaint, the Title VI Program Officer will determine its jurisdiction, acceptability, need for additional information, and investigate the complaint, if accepted.
3. The complaint will be provided with a written acknowledgement letter informing them that Lake of the Ozarks Developmental Center has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
  - a. The complaint must be filed within 180 days of the alleged occurrence.
  - b. The allegation must involve a covered basis such as race, color, or national origin.
  - c. The allegation must involve a Lake of the Ozarks Developmental Center Service.

5. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.  
The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - b. The complainant cannot be located after reasonable attempts.
6. Once the Title VI Program Officer decides to accept the complaint for investigation, the complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: complainant's name, basis, alleged harm, race, color and national origin of the complainant.
7. In cases where the Title VI Program Officer assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint the Title VI Program Officer will prepare an investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
8. The investigative report and its findings will be reviewed with Lake of the Ozarks Developmental Center officials and in some cases the investigative report and finds will be reviewed by Lake of the Ozarks Developmental Centers' Legal Counsel.
9. The Title VI Program Officer/Legal Counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
  - a. In the event Lake of the Ozarks Developmental Center is in noncompliance with the Title VI /ADA regulations, remedial actions will be listed.
10. Notice of the Title VI Program Officer's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
  - a. The Title VI Program officer will reconsider the determination, if new facts, come to light.
  - b. If Complainant is dissatisfied with the determination and/or resolution set forth by the Title VI Program Officer, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, 901 Locust Street, Room 404, Kansas City, MO 64106, Telephone 816-329-3920.
11. A copy of the complaint and the Title VI Programs Officer's investigation report/letter of finding (LOF) and final remedial action plan, if appropriate, will be issued to FTA within 120 days of receipt of the complaint.
12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

If the complainant disagrees with Lake of the Ozarks Developmental Centers' determination, the complainant may request reconsideration by submitting the request in writing to the Title VI Investigator within seven (7) days after the date of the letter of closure or letter of finding, stating with specificity the basis for the reconsideration. Lake of the Ozarks Developmental Center will notify the complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, Lake of the Ozarks Developmental Center will issue a determination letter to the complainant upon completion of the reconsideration review.

A person may also file a complaint directly with the Federal Transit Administration, at the FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, contact Lake of the Ozarks Developmental Center at 573-346-4574.