

# HALL COUNTY

## NEBRASKA

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## Limited English Proficiency (L.E.P.) Discrimination Complaint Procedures

### Allegations of Discrimination in Federally Assisted Programs or Activities

1. Anyone who believes that they, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, have been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, as amended, may file an L.E.P. Discrimination Complaint with Hall County. A complaint may also be filed by a representative on their behalf. All complaints will be referred to Hall County's Title VI Coordinator for review and action.
2. Intimidation or retaliation of any kind regarding the filing of a Limited English Proficiency discrimination complaint is prohibited by law.
3. In order to have the complaint considered under this procedure, the complaint should be filed as soon as possible, but must be filed no later than 180 calendar days after:
  - The date of alleged act of discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, Hall County may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

4. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Alternative means of filing a complaint will be made available to accommodate individuals with disabilities upon request. If necessary, the Title VI Coordinator will assist in reducing the complaint to writing and submit the written version of the complaint to the individual for signature. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. The complaint shall then be handled according to Hall County's investigative procedures.

5. Within 10 days, the Title VI Coordinator will:
  - Acknowledge receipt of the complaint.
  - Confirm that the complainant wishes to go forward with the complaint.
  - Inform the complainant of procedures to be followed.
  - Advise the complainant of other avenues of redress available, such as the Nebraska Department of Roads (NDOR).
  - Confirm that there are allegations that need to be investigated, and
  - Gather additional facts and further clarify the complaint.
  
6. Hall County will advise NDOR within 10 days of receipt of the allegations (for complaints related to a federally funded program or activity). Generally, the following information will be included in every notification to NDOR:
  - Name, address, and phone number of the complainant.
  - Name(s) and address(es) of alleged discriminating official(s).
  - Basis of complaint (race/color, age, national origin or disability)
  - Date of alleged discriminatory act(s).
  - Date of complaint received by Hall County.
  - A statement of the complaint.
  - Other agencies (State, Local or Federal) where the complaint has been filed.
  - An explanation of the actions Hall County has taken or proposed to resolve the issue that was raised in the complaint.
  
7. NDOR will forward the complaint to FHWA if the complaint is against Hall County. FHWA Office of Civil Rights will determine the appropriate individual and/or organization to conduct the investigation.
  
8. Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained (for contractors and sub-contractors working on a non-federally funded program or activity), will render a recommendation for action in a report of findings to the Chair of the Hall County Board of Supervisors. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
  
9. Within 90 days of receipt of the complaint, the Chair of the Hall County Board of Supervisors will notify the complainant in writing of the final decision reached (for contractors and sub-contractors working on a non-federally funded program or activity), including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with NDOR, or USDOT; if they are dissatisfied with the final decision rendered by the County. The Title VI Coordinator will also provide NDOR with a copy of this decision and summary of findings upon completion of the investigation.

10. Any complaints received against Hall County should immediately be forwarded to NDOR for investigation. Hall County will not investigate any complaint in which it has been named in the complaint.

11. Investigation of Complaint: An investigator will review and investigate the complaint. As part of the review, the investigator will at minimum:

- Gather relevant documentation from the complainant not included in the complaint, such as forms, memos, letters, and photograph information
- Contact complainant to arrange and conduct interview, if needed
- Maintain log of all activities associated with complaint
- Complete investigation report of information, findings, photos, and recommendations for correction to the proper Federal Agency overseeing the department in which the complaint occurred.

12. Dismissal of Complaint: A complaint may be dismissed for the following reasons:

- The complaint is untimely filed.
- The complaint does not allege a basis covered by the statutes for which the County is responsible.
- The complaint does not allege any harm with regard to covered programs or statutes.
- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts.

13. Contacts for the different Title VI Administrative Jurisdictions are as follows:

Title VI Coordinator  
Marla Conley  
Hall County Clerk  
121 South Pine Street  
Grand Island, Nebraska 68801  
(308) 385-5080

Nebraska Department of Roads  
Human Resources, Title VI Program  
1500 NE Highway 2, P.O. Box 94759  
Lincoln, NE 68509-4759  
(402) 479-4870

Federal Highway Administration  
Nebraska Division Office  
100 Centennial Mall North  
Lincoln, NE 68508  
(402)437-5765

# Limited English Proficiency (L.E.P.) Complaint Form



Title VI of the 1964 Civil Rights Act, as amended requires that no person in the United States shall, on the ground of race, color, national origin, age, disability/handicap or gender, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance.

Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

1. Complainants' Name \_\_\_\_\_
2. Street Address \_\_\_\_\_
3. City, State and Zip Code \_\_\_\_\_
4. Telephone Number (home) \_\_\_\_\_ business \_\_\_\_\_  
Cell \_\_\_\_\_
5. Individual discriminated against (if someone other than the complainant)  
  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_
6. Which of the following best describes the reason you believe the Limited English Proficiency discrimination took place? Was it because of: (check reason)  
  
a. Race/Color \_\_\_\_\_ c. Age \_\_\_\_\_  
b. National Origin \_\_\_\_\_ d. Disability \_\_\_\_\_

7. What date did the alleged discrimination take place and the location? Explain what happened and whom you believe was responsible. Please attach additional sheets if additional space is required.

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8. 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 Agency  
\_\_\_ State Court      \_\_\_\_\_ Local Agency

9. Please provide information about a contact person at the Agency/Court where the complaint was filed.

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

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Complainant's Signature

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Date

**Please file Complaint with:**

Title VI Coordinator  
Marla Conley  
Hall County Clerk  
121 South Pine Street  
Grand Island, NE 68801