

TITLE VI NON-DESCRIMINATION COMPLAINT PROCEDURE

Any person who believes she or he has been discriminated against on the basis of race, color or national origin by any Transit Managed by ICAP (hereinafter referred to as “the authority”) may file a Title VI complaint by completing and submitting the Authority’s Title VI Complaint Form. ICAP investigates complaints received no more than 180 days after the alleged incident. The Authority will process complaints that are complete.

Once the complaint is received, the Authority will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Authority has 60 days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 30 business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter to do so. A person may also file directly with the South Dakota Department of Transportation, 700 E. Broadway Ave., Pierre, SD 57501 ATTN: Civil Rights Program/Office of Legal Counsel. Phone number: 605-773-3540