

## **CCRPC ADA Complaint Procedure**

### **Who May File**

Any person who believes that they have been subjected to discrimination on the basis of disability, individually, or as a member of any specific class of persons, may file a complaint with the Chittenden County Regional Planning Commission (CCRPC).

### **Complaint Form and Contact Information**

All complaints related to disability discrimination should be directed to Emma Vaughn, Title VI & ADA Coordinator, CCRPC. Complaints may be submitted electronically, by telephone or by United States Postal Service (USPS), as follows:

- CCRPC website ([ccrpcvt.org](http://ccrpcvt.org))
- [evaughn@ccrpcvt.org](mailto:evaughn@ccrpcvt.org)
- (802) 846-4490 x 121
- Emma Vaughn, Title VI & ADA Coordinator
  - Chittenden County Regional Planning Commission
  - 110 West Canal Street, Suite 202
  - Winooski, VT 05404

### **Complaint Response Timeframe and Assistance**

All individuals who submit an ADA Complaint to the CCRPC will be contacted within three (3) business days of the submission of the complaint. CCRPC is committed to providing equitable and prompt response and resolution process to all ADA complaints and concerns. If an individual requires assistance to submit a complaint, the CCRPC ADA Coordinator or another member of the CCRPC staff will assist in filing a complaint. Federal and state law require that the complaint be filed within 180 days of the alleged incident of discrimination.

### **Complaint Process**

Once the complaint has been submitted, the CCRPC will pursue the following steps in addressing the complaint:

1. The complainant will be contacted within three (3) business days of submission and provided with an explanation of the process and offered guidance and assistance to resolve the subject of the complaint.
2. The ADA Coordinator or other CCRPC staff will initiate a Complaint Form.

3. Essential information on the form includes the following:

- a. Date of the incident that is the subject of the complaint;
- b. Time of the incident;
- c. Location of the incident; and
- d. Circumstances of the incident in as much detail as is available, including description of the issues and the names of those individuals perceived as parties in the complaint.

4. The completed form, along with the initial complaint letter and a summary of any other communication, will be submitted to the Executive Director of the CCRPC for review. The Director will determine the jurisdiction and acceptability of the complaint and any need for additional information. After any additional information is procured, the Director will determine whether to accept or reject the complaint.

5. The complainant will be provided with a written notification that the CCRPC has either accepted or rejected the complaint.

6. A complaint may be rejected for the following reasons:

- a. More than 180 days passed between the alleged incident and the filing of the initial complaint.
- b. The allegation does not involve a disability.
- c. The allegation does not involve CCRPC or one of its subrecipients of US Department of Transportation funds.
- d. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- e. The complainant cannot be located after reasonable attempts.

7. An accepted complaint will be assigned a case number and be logged in a database maintained by the CCRPC identifying the complainant's name, date of incident, and information about the alleged incident.

8. The ADA Coordinator will initiate an investigation of the complaint, assisted by other members of the CCRPC as necessary, and complete a report within 45 days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of the persons interviewed, findings, and recommendations for disposition.

9. The report will be reviewed by the Director of the CCRPC and referred to legal representation, if deemed appropriate. The Director will accept or reject the recommendation for disposition, in consultation with legal representation, and if the individuals involved are found to be in noncompliance with ADA Program requirements, remedial actions will be determined.

10. The results of the investigation and the Director's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

a. CCRPC will reconsider the determination if new facts come to light.

11. If the complainant is dissatisfied with the determination and/or resolution set forth by CCRPC, the same complaint may be submitted to the [Vermont Agency of Transportation \(VTrans\)](#) for investigation. The complainant will be advised to contact:

Patricia Martin  
Title VI & ADA Coordinator  
Vermont Agency of Transportation  
Office of Civil Rights & Labor Compliance  
219 North Main Street  
Barre, VT 05641  
Phone: 802-595-6959  
Email: [patricia.martin@vermont.gov](mailto:patricia.martin@vermont.gov)

12. A copy of the complaint and CCRPC's investigation report, letter of finding, and remedial action plan will be submitted to VTrans within 120 days of the initial receipt of the complaint.

13. CCRPC will keep on file for one year all complaints of noncompliance received, and a record of all such complaints on file for five years, pursuant to 2 CFR Section 200.334, State of Vermont General Records Schedule GRS-1000.1102, and ADA Circular 4701.1, Section 12.7.3. A summary of the complaint resolution will be added to the database at CCRPC and this information will be included as part of the next ADA update to VTrans.