



**STANDARD  
OPERATING  
PROCEDURE**

**OFFICE OF THE COUNTY EXECUTIVE**

Date:

**July 31, 2020**

Number:

**B-07**

Approved by:

Suffolk County SOP for  
Policy of Nondiscrimination in County Services and  
Service Discrimination Complaint Procedures

This SOP supersedes the sheets in the SOP manual that are identified as SOP B-07 dated August 4, 2014. Holders of the SOP manual should remove and discard these sheets and replace them with this document.

- 1. Purpose.** This SOP details the County's nondiscrimination policy and procedures to address external complaints of discrimination in County services on the basis of race, color, national origin, disability, gender, age, low-income, or limited English proficiency in services that receive Federal Financial Assistance, as defined in appendix A.
- 2. Scope.** This SOP applies to all County Departments and programs that receive Federal Financial Assistance directly or indirectly from federal sources, including State administered pass-through grants.
- 3. Policy.** Suffolk County, under Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities, ensures that no person in the County, shall on the grounds of race, color, national origin, disability, gender, age, low-income, or limited English proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.
- 4. Relevant Authority.**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)
- Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)
- Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)
- Age Discrimination Act of 1975 (42 U.S.C. §§ 6101–6107)
- United States Presidential Executive Order 13166
- Federal-Aid Highway Act of 1973 (23 USC 324 et. seq.) (prohibits discrimination on the basis of sex)
- 49 C.F.R. part 21 (entitled Nondiscrimination in Federally-Assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act Of 1964)
- 49 C.F.R. part 27 (entitled Nondiscrimination on The Basis of Disability in Programs or Activities Receiving Federal Financial Assistance)
- 49 C.F.R. part 28 (entitled Enforcement of Nondiscrimination on The Basis of Handicap in Programs or Activities Conducted by The Department of Transportation)
- 49 C.F.R. part 37 (entitled Transportation Services for Individuals with Disabilities (ADA))
- 49 C.F.R. part 303 (FMCSA’s Title VI/Nondiscrimination Regulation)
- 28 C.F.R. part 35 (entitled Discrimination on The Basis of Disability in State and Local Government Services)
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964)
- Executive Order #12898 (Environmental Justice)
- New York Executive Law Article 15 (commonly known as the Human Rights Law)
- Suffolk County Executive Order No. 10-2012
- Suffolk County Code §528

**5. Definitions.**

See Appendix A attached.

**6. Nondiscrimination Requirements.**

- A. All Departments are directed to ensure that their programs and services do not discriminate on the basis of race, color, national origin, disability, gender, age, low-income, or limited English proficiency (LEP).
- B. The acceptance of Federal Financial Assistance in any form, including grants, technical assistance, loans, land and contracts, either directly or indirectly, creates an obligation to ensure that all Beneficiaries, as defined in Appendix A, regardless of race, color, national origin, disability, gender, age, low-income, or limited English proficiency (LEP) are afforded equal access to the benefits of that assistance.
- C. Language Access Required

- 1) Nondiscrimination protection extends to prohibit discrimination against populations that are not proficient in English. “English Only” policies have an unjustified Disparate Impact, as defined in Appendix A, on the basis of national origin and are discriminatory thereby violating Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) and Executive Order #13166.
- 2) The County Language Access Plan described in Suffolk County Executive Order No. 10-2012 should be followed.

**7. Public Outreach.**

Each Department shall utilize its current methods of communication with Suffolk County residents and Beneficiaries to publicize the County’s External Nondiscrimination Policy and Service Discrimination Complaint process. Consistent with the Notification to Beneficiaries/Participants section of the County’s Title VI Program Compliance Plan, the County has posted the Public Notice of Title VI Program Rights in public access areas of facilities and uploaded the Public Notice to the County’s website.

**8. Title VI Program Designee.**

Each Department head shall select a Title VI Program Designee, as defined in Appendix A, within his or her department responsible to:

- A. Ensure compliance with the County’s External Nondiscrimination Policy.
- B. Work with the Department head to develop and implement a departmental plan to publicize the County’s Public Notice of Title VI Program Rights, External Nondiscrimination Policy, and Service Discrimination Complaint procedures to departmental employees, contractors, Beneficiaries, and members of the public. The departmental plan shall be filed with the Title VI Program Coordinator within 120 days of the implementation of this SOP. At a minimum, the Departmental plan should include:
  - 1) Use of Countywide materials, including County website links, signage, and Service Discrimination Complaint telephone number, if any;
  - 2) Description of additional departmental outreach, including posting notice of the County’s Public Notice of Title VI Program Rights, External Nondiscrimination Policy at service sites and inclusion of the County’s External Nondiscrimination Policy in public departmental materials or other methods of publication;

- 3) A listing of staff/positions that receive training regarding Title VI and Other Nondiscrimination Authorities, as defined in Appendix A, including staff that work with the public and Beneficiaries;
  - 4) Use of social media to the extent social media is utilized by the Department to deliver services or communicate with Beneficiaries (post Public Notice of Title VI Program Rights); and
  - 5) Use of the Nondiscrimination statement identified under Specific Assurance #2 of the FMCSA Title VI Program Assurance in County RFPs, RFQs, bids and contracts issued by County Programs that receive federal and State pass-through funding.
- C. Stay current regarding the nondiscrimination requirements of specific federal and State agencies providing grants or other Federal Financial Assistance to the Department, including pass-through grants or other pass-through Federal Financial Assistance.
  - D. Respond to requests from federal and State agencies regarding compliance with Title VI and Other Nondiscrimination Authorities.
  - E. Remain current with the requirements of federal and State oversight agency guidelines, including timelines, submissions, and training requirements.
  - F. Receive Service Discrimination Complaints from members of the public and Beneficiaries on behalf of the Department.
  - G. Inform complainants and members of the public of the County's External Nondiscrimination Policy and Service Discrimination Complaint procedures with relevant federal and State complaint options and timeframes including:
    - 1) Right to submit a complaint directly to the federal agency that provides the Federal Financial Assistance (i.e., The United States Departments of Justice, Transportation, Labor, or Health and Human Services) or State pass-through agency, if any, after the County has notified the Complainant of the disposition of the complaint and the Complainant is dissatisfied with the County's disposition of the complaint; and
    - 2) Federal agency deadlines for filing discrimination complaints. (Generally 180 days from the date of the incident but the Title VI Program Designee must verify the specific agency deadlines.)
  - H. Notify the Department head and the Title VI Program Coordinator, as defined in Appendix A, of any Service Discrimination Complaints or federal or State investigations of service discrimination involving the County.

- I. Comply with requests for information and investigations by federal and State oversight agencies following notification and/or consultation with the Department head, Title VI Program Coordinator, and County Attorney's Office.
- J. Comply with requests from the Title VI Program Coordinator or his/her designee.
- K. Collect and analyze departmental data showing the extent to which Beneficiaries are members of racial, ethnic, national origin, age, disabled, gender, low-income, or LEP groups and ensure that each contract service provider and appropriate subcontractors:
  - 1) Maintain information regarding the above referenced groups, and
  - 2) Submit annual reports to assist the Department in the completion of this objective.
- L. Maintain a Service Discrimination Complaints log including all records and data pertaining to specific Service Discrimination Complaints filed regarding departmental services and the resolution of each Service Discrimination Complaint.
- M. Investigate or oversee the investigation of Service Discrimination Complaints on behalf of the Department.
- N. Submit an annual report to the Department head and the Title VI Program Coordinator on March 1 for the period of January to December of the prior calendar year. The report should include statistics regarding the number and type of Service Discrimination Complaints, Departmental Determinations, Appeals and Final Determinations as described in the Service Discrimination Complaint Procedure below.

**9. Service Discrimination Complaint Procedure.**

- A. Service Discrimination Complaints
  - 1) All Service Discrimination Complaints must be submitted in writing with an identified complainant.
  - 2) Anonymous Service Discrimination Complaints will not be accepted.
  - 3) Complainants shall be encouraged to use the Countywide Service Discrimination Complaint Form (available online or through mail upon request) or departmental form, if any, but such forms shall not be required to initiate a discrimination investigation. Any complaint that is in writing with an identified complainant must be accepted and investigated.
  - 4) Any written correspondence received in a language other than English shall be translated by the department. If it is determined that the correspondence contains a complaint, such complaint and its

translation shall be forwarded to the appropriate Department for investigation and resolution.

- 5) Each Service Discrimination Complaint shall be recorded and tracked with a unique identifier. The unique identifier shall include the abbreviation for Service Discrimination Complaint (SDC), a three-letter abbreviation of the Department name, additional abbreviation for departmental division, if needed, the year the complaint is received and the complaint's sequence number for that department. (For example, a fifth complaint received in 2014 by the Department of Public Works, Transportation Division, would be SDC- DPW-TD-2014-005.)
- 6) Written Service Discrimination Complaints must be filed within 180 days of the complained of activity to be timely filed. Exceptions shall be made on a case-by-case basis upon consultation with the Title VI Program Coordinator.
- 7) The Department, through its Title VI Program Designee, shall:
  - a. Within 10 business days of receipt of a Service Discrimination Complaint, provide written notification to the complainant and any Third-Party Complainant, as defined in section 9) below, that the Department has received the Service Discrimination Complaint and commenced an investigation. Such written notice shall also include the Service Discrimination Complaint unique identifier.
  - b. Inform the complainant of the following:
    - i. The right to file his or her complaint with the Office of Civil Rights in the appropriate federal agency that provides Federal Financial Assistance to the Department and that the Service Discrimination Complaint is not a precursor or a bar to a federal complaint, a State complaint or a legal claim, after the County has notified the Complainant of the disposition of the complaint and the Complainant is dissatisfied with the County's disposition of the complaint;
    - ii. The right to file his or her complaint with the appropriate New York State pass-through agency, if any; and
    - iii. The relevant federal complaint deadline for the filing of discrimination complaints related to the Title VI Program and Other Nondiscrimination Authorities with the appropriate federal agency or agencies.
- 8) If the original Service Discrimination Complaint is received in a language other than English, all correspondence with that complainant

shall be translated into that language and shall contain the English version as well.

9) Third-Party Complainants:

- a. A person may file a complaint on behalf of another named person(s). The person making the complaint on behalf of another is the Third-Party Complainant. The person on whose behalf the complaint is made remains the complainant.
- b. If a Service Discrimination Complaint is submitted by a Third-Party Complainant, the Title VI Program Designee or assigned investigator must contact the complainant regarding his or her wish to pursue the Service Discrimination Complaint filed on his or her behalf. Where the complainant is a minor child or incompetent adult, the Title VI Program Designee shall contact the complainant's parent or guardian.
- c. If the complainant (or his/her parent or guardian) wishes to pursue the Service Discrimination Complaint, he or she must submit written authorization to proceed with the Service Discrimination Complaint. Written authorization may include:
  - i. The complainant's signature, or the signature of his/her parent or guardian, as the case may be, on the underlying Service Discrimination Complaint Form at "Signature of the Aggrieved Party;" or
  - ii. submission of a new Service Discrimination Complaint Form; or
  - iii. a separate written statement of his/her wish to proceed.
- d. If the complainant (or his/her parent or guardian) declines to pursue the Service Discrimination Complaint, the Title VI Program Designee shall close the complaint and inform the Third-Party Complainant of the reason for the closure. The Title VI Program Designee shall also put a memo in the file explaining the steps taken and the reasons the Service Discrimination Complaint was closed.
- e. If the complainant cannot be identified or located, the Service Discrimination Complaint may be closed and the Third Party Complainant will be informed of the closure and other rights as set forth in paragraph 8A)7)b) above.
- f. If the complaint is made by the parent or guardian of a minor child or incompetent person, that parent or guardian shall act on behalf of the complainant and shall not be considered a Third-Party Complainant.

g. A copy of any closed complaint, file memo(s) and correspondence shall be sent to the Title VI Program Coordinator.

**B. Investigation of a Service Discrimination Complaint**

- 1) At a minimum, the investigation shall include:
  - a. An interview of the complainant, known witnesses, relevant County employees or contractors, and the subject(s) of the investigation, if any;
  - b. Review of pertinent practices and policies; and
  - c. Review of any other relevant circumstances or factors required to make a determination regarding compliance with the Title VI Program and Other Nondiscrimination Authorities.
- 2) Upon conclusion of the investigation, an Investigative Report and Recommendation shall be prepared. (see attached Investigative Report and Recommendation Form)
- 3) To the extent that a County employee is the subject of the asserted claim, and such investigation could lead to disciplinary action against the employee, the appropriate collective bargaining and/or civil service rules and requirements shall apply.
- 4) If the Title VI Program Designee or assigned investigator is the subject of the Service Discrimination Complaint, the matter shall be referred to the Department head for re-assignment.

**C. Departmental Determination**

- 1) The Title VI Program Designee shall prepare one of the following Departmental Determinations in draft:
  - a. Unsubstantiated- No Further Action Required
    - i. If, at the conclusion of the investigation, the Department's Title VI Program Designee has determined that there was no direct discriminatory treatment, or that the complained of program, service or practice had no Disparate Impact, the Title VI Program Designee shall issue a Departmental Determination of "Unsubstantiated."
    - ii. The Departmental Determination of Unsubstantiated shall also state that no further action will be taken.
  - b. Reviewed with Recommendation or Corrective Action
    - i. If, at the conclusion of the investigation, the Title VI Program Designee has determined that the complainant or Beneficiary may have been denied or received different service(s) on the basis of race, color, national



origin, disability, gender, age, low-income or limited English proficiency (LEP), the Title VI Program Designee shall submit his/her findings, the reason for the findings and the recommended corrective action to the Department head in the form of a Departmental Determination letter.

- ii. The Departmental Determination letter shall succinctly restate the salient issue(s) of the Service Discrimination Complaint, the relevant findings, and the Department's action(s) to address the investigative findings.
- 2) The Departmental Determination, as well as a copy of the Investigative Report and Recommendation shall be forwarded to the Department head for approval.
- 3) The Department head shall have 10 business days to review and approve or amend the Investigative Report and Recommendation and Departmental Determination.
- 4) Once the Department head approves or amends the recommendation(s) and the Departmental Determination letter, the Title VI Program Designee shall issue its Departmental Determination. The complainant and any Third-Party Complaint shall be notified in writing of the Departmental Determination of Unsubstantiated or Reviewed with Recommendation or Corrective Action. In addition to the information specified in subsections 9.C. 1) a. ii or b. ii above, the Departmental Determination letter shall inform the complainant of the following:
  - i. The opportunity for an appeal to the Title VI Program Coordinator and Department head within thirty (30) days of the date of the Departmental Determination; letter, and
  - ii. The option to file a complaint with the appropriate federal or State agency.
- 5) The Department shall issue its Departmental Determination within 60 calendar days following the initial receipt of the Service Discrimination Complaint.
- 6) If the original complaint was received in a language other than English, the Departmental Determination shall be translated into that language and mailed along with the English Departmental Determination.
- 7) At any time following the issuance of the Departmental Determination
  - a. The Title VI Program Coordinator or Department head may request that the matter be reopened.

b. The Title VI Program Coordinator or Department head may review the Investigative Report and Recommendation, Departmental Determination and any relevant materials and documentation.

c. The Title VI Program Coordinator may also request additional information from the Department, if necessary.

- 8) Any Departmental Determination of “Reviewed with Recommendations or Corrective Action” shall be sent to the appropriate State or federal oversight agency if required by that oversight agency as a condition of the Federal Financial Assistance.

#### D. Review on Appeal

- 1) The complainant shall have 30 calendar days to file a request to appeal the Departmental Determination.
- 2) Such request for review shall be sent to the Department head with a copy to the Title VI Program Coordinator for immediate review. A copy of any request for appeal received by the Title VI Program Coordinator, or the Department head shall be forwarded to the other party immediately upon receipt by the receiving party.
- 3) The Department head and Title VI Program Coordinator shall review the Service Discrimination Complaint and any supporting documents, Investigative Report and Recommendation, the Departmental Determination and all other investigative material.
- 4) The Department head shall have 30 calendar days to issue a Letter of Final Determination based on the review or interviews.
  - a. The Letter of Final Determination shall either sustain the original Departmental Determination or amend the original Departmental Determination.
  - b. The amendment of the Departmental Determination may include new or additional recommendations.

#### E. Retaliation

- 1) Retaliation is strictly prohibited.
- 2) No County employee, agent, representative or service provider shall intimidate, threaten, coerce, or discriminate against any individual, complainant, or witness for the purpose of interfering with any right or privilege conferred by Title VI Program and Other Nondiscrimination Authorities or an investigation of a violation thereof.

#### **10. Forms.**

- Service Discrimination Complaint Form
- Sample Letter Acknowledging Receipt of Complaint

- Investigative Report and Recommendation
- Sample Letter Notifying Complainant of the Departmental Determination-Unsubstantiated
- Sample Letter Notifying Complainant of the Departmental Determination- Reviewed with Recommendation or Corrective Action

## Appendix A

### **Definitions**

- A. “Beneficiary” or “Beneficiaries” shall mean individuals and/or entities that directly or indirectly receive funding or services funded through the operation of a federal grant or assistance program.
- B. “Disparate Impact” shall mean the discriminatory effect of a practice, program or service that appears neutral and with non-discriminatory intent, yet disproportionately affects members of a group based on race, color, national origin (which includes Limited English Proficiency and may include religion), disability, age or gender.
- C. “External Nondiscrimination Policy” shall mean the County’s policy to prohibit discrimination on the basis of race, color, national origin, disability, gender, age, low-income, and LEP in the delivery of County services to members of the general public and Beneficiaries.
- D. “Federal Financial Assistance”
- a. Shall mean monetary and nonmonetary forms of assistance that originate from the United States Federal Government, its departments, agencies or programs, including, but not limited to:
    - i. Grants and loans of federal funds;
    - ii. The grant or donation of federal property or interests in property;
    - iii. The assignment of federal personnel;
    - iv. The sale, lease of, or permission to use federal property or any interest in such property without consideration or under market value (temporary or casual use excluded); and
    - v. Any federal agreement or arrangement, for assistance.
  - b. Federal Financial Assistance does not include insurance, regulated programs, licenses, contracts at market rate value, or programs that provide direct benefits.
- E. “Limited English proficiency (LEP)” shall mean individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English.
- F. “Low-Income” shall mean a person whose median income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.
- G. “Recipient” shall mean any State, County, town, village, subcontractor, nonprofit, private agency, institution, or organization, to which Federal Financial Assistance is extended, directly or through the State, County or

other entity, for any program or services originally funded by the federal government or a federal agency.

- a. Such term does not include any ultimate end user (Beneficiary) under any such program or services.
  - b. A Recipient may not be the federal government or any department or agency therein.
- H. “Retaliation” shall mean any act of intimidation, threat, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured under Title VI and Other Nondiscrimination Authorities or because of his or her participation in any discrimination investigation, proceeding, or hearing.
- I. “Service Discrimination Complaint” shall mean a written statement asserting discrimination in a County service, program, process or activity, whether provided directly or through a County contractor based on race, color, national origin (which includes Limited English Proficiency and may include religion so long as the allegation of discrimination on the basis of religion is accompanied by one or more additional allegations), gender, age, disability, or low-income.
- J. “Title VI Program Coordinator” shall mean the designee of the County Executive from the Office of Minority Affairs, who shall be responsible to review and oversee the County’s policy of nondiscrimination in County services and compliance with the nondiscrimination initiatives required pursuant to the Federal Financial Assistance programs including, but not limited to, publication of the County’s nondiscrimination in services policy, related training, and County Service Discrimination Complaint process.
- K. “Title VI Program Designee” shall mean the designee selected by each Department head to coordinate the departmental implementation of the County’s policy of nondiscrimination in County services and compliance with the nondiscrimination initiatives required pursuant the Federal Financial Assistance received by the Department.
- L. “Title VI and Other Nondiscrimination Authorities” shall mean the collection of federal statutes that prohibit discrimination against certain types of individuals and are as follows:
- o Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)
  - o Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)
  - o Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)
  - o Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.)
  - o Age Discrimination Act of 1975 (42 U.S.C. §§ 6101–6107)
  - o Federal-Aid Highway Act of 1973 (23 USC 324 et. seq.) (prohibits discrimination on the basis of sex);

- 49 CFR Part 21;
- 49 CFR Part 27;
- 49 CFR Part 28;
- 49 CFR Part 37;
- 49 CFR Part 303;
- 28 CFR Part 35;
- 28 CFR Part 50.3;
- Executive Order #12898 (Environmental Justice);
- Executive Order #13166 (Limited English Proficiency).

## Appendix B

### Explanation of Federal Authorities

Federal authorities that prohibit discrimination against certain types of individuals (collectively referred to as “Title VI and Other Nondiscrimination Authorities”) are as follows:

#### Federal Statute

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.)

#### Prohibits discrimination based on:

Race, color, national origin, and limited English proficiency (LEP) which includes:

1. Religion when there is more than one allegation and a basis of race, color, or national origin (not including religion) is included in the complaint may the allegation with the basis of religion be investigated. If the religion-based allegation is the only allegation in the complaint, this is not considered to be a Title VI complaint as religion is not a basis identified under Title VI; and
2. Persons with limited English proficiency (LEP).

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)

Disability

Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)

Disability

Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.)

Gender in educational settings

Age Discrimination Act of 1975 (42 U.S.C. §§ 6101–6107)

Age

Executive Order #13166

Limited English Proficiency





Appendix C  
Forms

## Service Discrimination Complaint Form

*Suffolk County, under Title VI of the Civil Rights Act of 1964 and related authorities, ensures that no person in the County, shall on the grounds of race, color, national origin, disability, gender, age, low-income or limited English proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.*

If you feel you have been discriminated against on the basis of race, color or national origin, disability, gender, age, low-income or limited English proficiency, please complete this form and submit as directed below.

Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance to complete this form, please contact (631) 853-4235.

### Section I:

1. Complainants' Name \_\_\_\_\_
2. Street Address \_\_\_\_\_
3. City, State and Zip Code \_\_\_\_\_
4. Telephone Number. [Please indicate the best number where you can be reached]  
Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_
5. Email address \_\_\_\_\_
6. Accessible Format Requirements?  Large Print  TDD/TTY  Other \_\_\_\_\_

### Section II:

Are you filing this complaint on your own behalf?  Yes  No If yes, skip to Section III.

1. Person discriminated against  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State and Zip Code \_\_\_\_\_
2. Telephone Number: Home \_\_\_\_\_ Work \_\_\_\_\_  
Cell \_\_\_\_\_
3. Email address \_\_\_\_\_
4. Accessible Format Requirements?  Large Print  TDD/TTY  Other \_\_\_\_\_
5. Your relationship to the person discriminated against: \_\_\_\_\_
6. Please state why you have filed on behalf of that party. \_\_\_\_\_  
\_\_\_\_\_
7. The person discriminated against (also called the Aggrieved Party) must also authorize the complaint and investigation on his or her behalf. Please confirm that you have permission to submit this Complaint on behalf of the Aggrieved Party.  Yes  No

### Section III

1. Which of the following best describes the reason you believe the discrimination took place?  
Was it because of your: (check reason)  

<input type="checkbox"/> Race/Color	<input type="checkbox"/> Disability
<input type="checkbox"/> National Origin (including LEP)	<input type="checkbox"/> Gender
<input type="checkbox"/> Age	<input type="checkbox"/> Income-Status

2. What date and time did the alleged discrimination take place?

Date (Month/ Day/ Year) \_\_\_\_\_ Time \_\_\_\_\_

3. In detail, explain what happened, where it occurred and who you believe was responsible. Include as much identifying and contact information as possible for witnesses and responsible parties.

---

---

---

---

---

---

---

---

---

---

(Please use the back of this form or attach additional sheets if additional space is required.)

**Section IV:**

1. Have you filed a complaint with any other federal, state, or local agency; or federal or state court regarding this matter? Yes  No

If yes, please specify all that apply \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Please provide information about a contact person at the agency/court where the complaint was filed.

Name \_\_\_\_\_  
Agency/ Court \_\_\_\_\_  
Telephone Number \_\_\_\_\_ Email address \_\_\_\_\_

(Please use the back of this form or attach additional sheets if additional space is required.)

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

If this complaint is filed on behalf of another person listed in Section II above, that person may sign below.

\_\_\_\_\_  
Signature of the Aggrieved Party

\_\_\_\_\_  
Date

# INVESTIGATIVE REPORT AND RECOMMENDATION

Date of Report \_\_\_\_\_

Complaint No. \_\_\_\_\_

## **I. Introduction and Summary**

The following report summarizes the Title VI Program Designee's findings with respect to the allegations raised by this complaint.

### A. Information

1. Date of Complaint \_\_\_\_\_

2. Complainant(s): List name and address of all complainants (include third party complainants, if any)

3. Complainant's allegations pertain to claims of discrimination based on

<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	Gender/Sex
<input type="checkbox"/>	National Origin (including LEP)	<input type="checkbox"/>	Disability
<input type="checkbox"/>	Age	<input type="checkbox"/>	Income-Status

---

4. List any other complaints or legal action regarding the underlying allegations, if any

5. Language Access Plan (LAP) services need? No \_\_\_ Yes \_\_\_

If yes, specify language \_\_\_\_\_

### B. Recommended Determination

Unsubstantiated

Recommendation/Corrective Action

### C. Summary of Findings

**Detailed Allegations.**

[Enumerate factual allegations including relevant dates.]

**II. Relief Sought by the Complainant, if any.**

Please identify the Complainant's desired outcome.

**III. Investigation Methodology.**

This investigation was conducted by:

A. Interview(s) with the following witnesses:

B. Review of the following documents and/or materials:

C. The following additional steps, if any (including, but not limited to, site visits, measurements, research, studies reviewed, or other analysis conducted ):

**IV. Findings of Fact.**

[Enumerate relevant facts including dates where appropriate.]

**V. Analysis and Recommended Determination.**

**VI. Proposed Corrective Action/Remedial Action.**

**Department Letterhead**

**[Service Discrimination Complaint Receipt Letter]**

Date

Re: Service Discrimination Complaint [add reference number, if any]

Dear \_\_\_\_\_:

This letter is to acknowledge receipt of your complaint against Suffolk County [Department/Division/Office] alleging discrimination on the basis of [race, color, national origin, gender, disability, age, low-income, or limited English proficiency].

We are committed to providing fair and non-discriminatory services to all residents of Suffolk County. Your complaint is being investigated. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office at:

[Name of Department Title VI Program Designee  
Address  
Telephone Number].

Please be advised that after the County has notified you of the disposition of the complaint and if you are dissatisfied with the County's disposition of the complaint, you may also file a complaint with one or both of the following:

New York Division of Human Rights  
<http://www.dhr.ny.gov/how-file-complaint>  
or by telephone at 1-888-392-3644

U.S. Department of Justice  
Civil Rights Division  
Coordination and Review Section-NWB  
950 Pennsylvania Ave, NW  
Washington, DC 20530  
Title VI (1-888-848-5306)  
(202) 307-2678 (TDD)

**Please contact these agencies directly for their specific filing criteria or deadlines.**  
Complaints may be filed with these entities any time before their deadlines expire regardless of the status of your Suffolk County complaint.

Sincerely,

[Name]

Title VI Program Designee

**Department Letterhead**

**[Notification of Department  
Determination-Unsubstantiated]**

Date

Name  
Address

Re: Service Discrimination Complaint Determination [add reference number, if any]

Dear \_\_\_\_\_:

We have investigated your complaint filed on [date] alleging discrimination based on [race, color, national origin, gender, disability, age, low-income or limited English proficiency] against the Suffolk County [Department/Division/Office]. After a thorough investigation, we were unable to substantiate a finding of discrimination.

You have the right to do **one or both** of the following:

1) Appeal to [insert name of Department/Division/Office-head/Commissioner/Director] within 30 calendar days of receipt of this Departmental Determination by sending a request for appeal to:

[Department/Division/Office-head/Commissioner/Director]  
[Address]  
Attn: Title VI Program Discrimination Complaint Appeals

With a copy addressed to

Title VI Program Coordinator  
100 Veterans Memorial Highway – [XX] Floor  
Hauppauge, NY 11788

2) File a complaint externally with one or both of the following State and Federal agencies:

New York Division of Human Rights  
<http://www.dhr.ny.gov/how-file-complaint>  
or by telephone at 1-888-392-3644

U.S. Department of Justice  
Civil Rights Division  
Coordination and Review Section-NWB  
950 Pennsylvania Ave, NW  
Washington, DC 20530  
Title VI (1-888-848-5306)  
(202) 307-2678 (TDD)



**Please contact these agencies directly for their specific filing criteria or deadlines.**  
Complaints may be filed with these entities any time before their deadlines expire regardless of the status of your Suffolk County complaint.

Sincerely,

[Name]  
Title VI Program Designee

**Department Letterhead**  
**[Notification of Department**  
**Determination-Reviewed with Recommendation for Corrective Action]**

Date

Name

Address

Re: Service Discrimination Complaint No. [add reference number, if any]

Dear \_\_\_\_\_:

We have investigated your complaint filed on [date] alleging discrimination based on [race, color, national origin, gender disability, age, low-income or limited English proficiency] against the Suffolk County [Department/Division/Office]. After a thorough investigation, we have determined that corrective action is indicated. The Department will take the following actions to address your complaint:

[State the corrective action or recommendation(s)].

Thank you for calling this important matter to our attention. If you are not satisfied by the corrective action [or recommendation(s)], you have the right to appeal to [insert name of Department/Division/Office-head/Commissioner/Director] within 30 calendar days of receipt of this Departmental Determination by sending a request for appeal to:

[Department/Division/Office-head/Commissioner/Director]

[Address]

Attn: Title VI Program Discrimination Complaint Appeals

With a copy addressed to

Title VI Program Coordinator  
100 Veterans Memorial Highway – [XX] Floor  
Hauppauge, NY 11788

You may also file a complaint with the following State and Federal agencies:

New York Division of Human Rights

U.S. Department of Justice  
Civil Rights Division

<http://www.dhr.ny.gov/how-file-complaint>  
or by telephone at 1-888-392-3644

Coordination and Review Section-NWB  
950 Pennsylvania Ave, NW  
Washington, DC 20530  
Title VI (1-888-848-5306)  
(202) 307-2678 (TDD)

**Please contact these agencies directly for their specific filing criteria or deadlines.**

Complaints may be filed with these entities any time before their deadlines expire regardless of the status of your Suffolk County complaint.

Sincerely,

[Name]

Title VI Program Designee