



Bernalillo County Title VI Complaint Procedures

Instructions to Complainant(s)

Any person believing, he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any transportation service, program or activity (whether federally funded or not) due to that person's race, color, national origin, gender, age, or disability has the right to file a complaint.

An individual, group of individuals or entity may file a formal Title VI complaint. Complaints must be submitted to the Title VI Coordinator in writing, signed and dated within 180 days from the date of the alleged discrimination or from when the alleged discrimination became known. Please use the Bernalillo County Title VI form and submit it to:

Title VI Coordinator
Bernalillo County Compliance Office
415 Tijeras Ave. NW
Albuquerque, N.M. 87102

Complaint forms are available through the following:

Bernalillo County website: www.BernCo.gov/TitleVI
Email: Compliance@bernco.gov
Telephone: (505) 468-1382

If not using the Bernalillo County Title VI form, the written complaint should include the name, address, phone number and signature of the complainant. The complaint should describe the alleged discriminatory act that violates Title VI in detail.

Federal law prohibits retaliation against individuals because they filed a discrimination complaint or participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the Title VI Coordinator. Please use the Bernalillo County Title VI form.

Bernalillo County encourages all complainants to certify mail that is sent through the U.S. Postal Service to ensure all written correspondence can be tracked easily.

Title VI complaints may also be filed directly with the New Mexico Department of Transportation (NMDOT), United States Department of Transportation (USDOT), and the Federal Highway Administration (FHWA).

Complaint Procedures

- a) Bernalillo County will provide, to the maximum extent feasible, appropriate assistance to complainants, including assistance to those persons with disabilities, or to those who are limited in their ability to communicate in English.
- b) The Title VI Coordinator will send the complainant a written notice of receipt of the complaint within ten (10) working days from receipt of the complaint.
- c) Upon receipt of the complaint, the Title VI Coordinator will determine whether Bernalillo County has jurisdiction over the complaint, the acceptability of the complaint, whether additional information is needed, and the Title VI Coordinator may investigate the merit of the complaint.
- d) Upon receipt of the complaint, the Title VI Coordinator may take any of the following actions in regard to investigating the complaint.
 1. The Title VI Coordinator may assign an investigator to investigate the complaint.
 2. The Title VI Coordinator may specify if there is a particular individual(s) that should not investigate the complaint due to conflicts of interest or other reasons.
 3. For complaints involving Bernalillo County employees, the investigation will be conducted with the Bernalillo County Human Resources Division.
 4. For complaints involving sub-recipients of federal funds, the investigation may be conducted with Bernalillo County Finance Division.
 5. The Title VI Coordinator may determine if the complaint should be forwarded to the New Mexico Department of Transportation or the Federal Highway Administration for investigation. If the complaint is forwarded to one of these agencies, Bernalillo County will provide the name and contact information of the person handling the complaint to the complainant.
- e) In cases where Bernalillo County investigates the complaint, the investigation will address only those issues relevant to the allegations in the complaint. The investigation will include:
 1. Interviewing all identified parties and key witnesses involved.
 2. Provide the respondent with the opportunity to respond to the allegations made in the complaint. The respondent will have ten (10) working days from receipt of notification to provide a response to the allegations.
 3. Finalize and submit to the Title VI Coordinator an investigative report within 60 days of acceptance of the complaint.
- f) A complaint may be dismissed for the following reasons:
 1. The complainant requests a withdrawal of the complaint.
 2. The complainant fails to respond to repeated requests for additional information to process the complaint.
 3. The complainant cannot be located after reasonable attempts.

- g) Bernalillo County will issue a final decision based on the investigative report. Bernalillo County will notify all parties involved about the final decision. Bernalillo County will make every effort to complete this notification within ninety (90) days of receipt of the complaint.
- h) If Bernalillo County conducts the investigation and the complainant or aggrieved party is not satisfied with the outcome, appeals may be made to the New Mexico Department of Transportation or the Federal Highway Administration following their procedures.
- i) The Title VI Coordinator will make every effort to pursue a resolution to the complaint. Every effort will be made to pursue an early resolution at the lowest possible level. The option for informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution.