

## EXTERNAL COMPLAINTS OF DISCRIMINATION

North Dakota Department of Transportation, Civil Rights  
SFN 51795 (1-2022)

### COMPLAINANT INFORMATION (Complete all items below.)

Name		Telephone Number	
Address	City	State	ZIP Code
Email Address			

### CAUSE OF DISCRIMINATION (Check all that apply.)

Title VI of the Civil Rights Act of 1964	Other Nondiscrimination Statutes/Executive Orders
<input type="checkbox"/> Race <input type="checkbox"/> National Origin	<input type="checkbox"/> Sex <input type="checkbox"/> Disability
<input type="checkbox"/> Color	<input type="checkbox"/> Age <input type="checkbox"/> Limited English Proficiency

Name of public entity complaint is against.
Provide an explanation of what happened and date(s) of the alleged discriminatory act and location.

### WE CANNOT ACCEPT YOUR COMPLAINT WITHOUT A SIGNATURE AND DATE.

Complainant's Signature	Date
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Any person or specific class of persons, who believes they were subjected to discrimination on the basis of race, color, national origin; or sex, age, disability, or limited English proficiency in the programs and activities of NDDOT or its sub-recipients (e.g., a city, county, Metropolitan Planning Organization, Transit Agency, etc.) may by himself/herself or through his/her legally authorized representative, make, sign and date a written complaint and file such complaint with the Department within 180 calendar days following the date of the last instance of the alleged discriminatory action. Complainants must complete in its entirety, sign, and date NDDOT's External Complaints of Discrimination form (SFN 51795) and file by mail, in person, or e-mail. However, the complainant may call NDDOT and provide the allegations by telephone. NDDOT will transcribe the complainant's allegations into the complaint form and send the written complaint to the complainant for corrections, signature, and date.

To request accommodations, complainants may contact the Civil Rights Division, NDDOT at (701) 328-2978 or [civilrights@nd.gov](mailto:civilrights@nd.gov). TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

The NDDOT Civil Rights Division Program Administrator will review the complaint, gather additional information from the complainant if necessary, and refer the complaint to the appropriate federal agency, which in most cases will be the Federal Highway Administration. It is also within your rights to file directly with the appropriate Federal agency that oversees the transportation activities, services or facilities.

**FHWA JURISDICTION (Roads and Bridges)**

Title VI Complaints will be forwarded to the Division Office.

For Title VI complaints against sub recipients, NDDOT is required to follow the timeframes in 23 CFR 200.9(b)(3) as follows: A copy of the complaint, together with a copy of the NDDOT's report of investigation shall be forwarded to the FHWA Division Office within 60 days of receipt of the delegated complaint from FHWA.

ADA Complaints will be forwarded to the FHWA Division Office.

For a Section 504/ADA complaint against subrecipients, NDDOT shall forward a copy of the complaint, together with a copy of the report of investigation within 90 days of receipt of the delegated complaint to the FHWA Division Office.

The FHWA HCR has delegated authority for dismissing and issuing letters of findings (LOFs) for Title VI, and Section 504/ADA complaints processed by FHWA. LOFs issued by the FHWA HCR are administratively final.

**FTA JURISDICTION (Public Transit)**

Complaints filed under Title VI, related statutes, and Section 504/ADA in which NDDOT is named as the respondent will be handled informally if possible. If the complaint cannot be resolved by informal means, the NDDOT may investigate the complaint as follows:

1. The complaint will be reviewed within 10 business days to determine whether it contains all necessary information required for acceptance.
2. If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form (SFN 60741) and the notice about Investigatory Uses of Personal Information fact sheet.

Title VI, related statutes, and Section 504/ADA complaints filed directly with NDDOT against NDDOT, its sub recipients, or contractors will be processed by NDDOT in accordance with the FTA approved complaint procedures under FTA C 4710.1, FTA C 4702.1B, 49 CFR 27.13(b).

For Title VI or related statutes Complaints, NDDOT is required to follow the FTA C 4702.1B to comply with reporting requirements of 49 CFR 21.9(b). The investigation information is recorded on the Transit Title VI - List of Investigations, Lawsuits, and Complaints (SFN 60805) and included in the Title VI/Nondiscrimination and ADA Program submitted to FTA every three years. Although, FTA regulations do not specify a time frame for the investigation of Title VI complaints, the NDDOT attempts to complete investigations within 90 days of receipt of the complaint.

For a Section 504/ADA complaint, NDDOT shall forward a copy of the complaint, together with a copy of the report of investigation within 90 days of receipt of the complaint to the FTA Office of Civil Rights.

The FTA has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by NDDOT. Closure letters or LOFs issued by NDDOT under FTA jurisdiction on Title VI, related statutes, and Section 504/ADA complaints are administratively final. Individuals or a specific class of individuals, personally or through a representative, may submit a complaint to FTA within 180 days from the date of the alleged discrimination.

If NDDOT receives a complaint against its sub recipients, the sub recipient will be contacted to handle the complaint informally at the local level if possible. If the complaint cannot be resolved informally at the local level, NDDOT will use the same process above to resolve the complaint.

## **Agencies Authorized to Receive and Process Complaints**

### **North Dakota Department of Transportation**

Civil Rights Division  
608 E Boulevard Ave.  
Bismarck, ND 58507-0700  
Phone: (701) 328-2576  
TTY: 711 or (800) 366-6888  
E-mail: [civilrights@nd.gov](mailto:civilrights@nd.gov)

### **FHWA**

North Dakota Division Office  
4503 Coleman St. N., Suite 205  
Bismarck, ND 58503  
Phone: (701) 250-4204  
Fax: (701) 250-4395  
E-mail: [NorthDakota.fhwa@dot.gov](mailto:NorthDakota.fhwa@dot.gov)

### **Federal Transit Administration (FTA)**

Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor - TCR  
1200 New Jersey Ave., S.E.  
Washington, DC 20590  
Phone: (888) 446-4511

### **USDOJ - ADA Complaints**

U.S. Department of Justice (USDOJ)  
950 Pennsylvania Avenue, N.W.  
Civil Rights Division  
Disability Rights Section - 1425 NYAV  
Washington, DC 20530  
Fax: (202) 307-1197  
ADA Information Line:  
(800) 514-0301 (voice) or (800)514-0383 (TTY)  
Main Section Telephone Number:  
(202) 307-0663 (voice and TTY)

### **United States Department of Transportation (USDOT)**

Departmental Office of Civil Rights  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Ave., S.E.  
Washington, DC 20590  
Phone: (202) 366-4648  
Fax: (202) 366-5575  
TTY/Assistive Device: (202) 366-9696

### **USDOJ - Race, Color, National Origin Complaints**

Federal Coordination and Compliance Section - NWB  
Civil Rights Division  
U.S. Department of Justice (USDOJ)  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
Phone: (888) 848-5306 (English and Spanish)  
(202) 307-2222 (voice)  
(202) 307-2678 (TDD)

### **United States Department of Transportation (FHWA)**

Federal Highway Administration  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Ave., S.E.  
8th Floor E81-105  
Washington, DC 20590  
Phone: (202) 366-0693  
Fax: (202) 366-1599  
TTY: (202) 366-5132  
E-mail: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)