



**CHISHOLM TRAIL METROPOLITAN PLANNING ORGANIZATION
ADA COMPLAINT PROCESS**

The Chisholm Trail Metropolitan Planning Organization (CTMPO) will use the following detailed internal procedures for prompt processing and resolution of all ADA complaints received. These procedures include but are not limited to:

1. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination under the ADA by the CTMPO, or any of their recipients, may file a written complaint with the ADA Coordinator. A complaint may also be filed by a representative on behalf of such a person.

2. In order to have the complaint considered under this procedure, the complaint must be filed no later than 180 calendar days after:
 - a. The date of the alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

3. Complaints shall be filed using the CTMPO's ADA Complaint Form which is available by contacting the ADA Coordinator or accessing the form on the CTMPO Website at (<https://www.chisholmtrailmpo.org/>). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination, the person shall be interviewed by the ADA Coordinator. If necessary, the ADA Coordinator will assist the person in reducing the complaint to writing and will submit the written version of the complaint to the person for

signature. The complaint shall then be handled in the usual manner. Once completed, the complaint should be submitted to:

CHISHOLM TRAIL METROPOLITAN PLANNING ORGANIZATION
ADA Coordinator, Angela Rasmuson
Enid, OK 73701
arasmuson@COE.local 580.616.7242

4. Upon receipt of the signed complaint form, the ADA Coordinator will log in the complaint, determine the basis of the complaint, the authority or jurisdiction for the complaint, and who should conduct the investigation.
5. The ADA Coordinator reviews and determines the appropriate action regarding every ADA complaint. The CTMPO will not proceed with or continue a complaint investigation if:
 - a. The complaint is, on its face, without merit;
 - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions; or
 - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
6. Within ten (10) business days, the ADA Coordinator will acknowledge receipt of the allegation, inform the complainant of any action taken or proposed action to be taken to process the complaint, and the complainant will be advised of other avenues of redress available, through the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the U.S. Department of Justice, the U.S. Department of Transportation, or the Oklahoma Department of Transportation (ODOT). The notification letter contains:
 - a. The basis of the complaint;
 - b. A brief statement of the allegation(s) over which CTMPO has jurisdiction;
 - c. A brief statement of CTMPO's jurisdiction over the recipient to investigate the complaint;
and
 - d. An indication of when the parties will be contacted.

7. The ADA Coordinator will notify ODOT's Contract Compliance Division within ten (10) calendar days of receipt of the allegations, and ODOT's Contract Compliance Division will notify the appropriate Federal Agency. Generally, the following information will be included in every notification to ODOT's Contract Compliance Division:
 - a. Name, address, and phone number of the complainant;
 - b. Email address if available;
 - c. Basis of the complaint (i.e., disability or handicap);
 - d. Date of the alleged discriminatory act or acts;
 - e. Date of complaint received by the recipient;
 - f. A statement of the complaint;
 - g. Other agencies (state, local, or federal) where the complaint has been filed; and,
 - h. An explanation of the actions the recipient has taken or proposed to take to resolve the issues raised in the complaint.

8. Within sixty (60) calendar days from the date the original complaint was received, the ADA Coordinator will conduct and complete an investigation of the allegations and based on the information obtained, will render a recommendation for action in a report of findings to ODOT.

9. The ADA Coordinator will conduct an in-depth, personal interview with the complainant. Information gathered in this interview include: identification of each complainant by race, color, sex, age, national origin, disability/handicap, or income status; the name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information relevant to the complaint. The interviews will be recorded in audio format. The ADA Coordinator will arrange for the complainant to read, make necessary changes to, and sign the complainant's interview transcript. Every effort will be made to obtain early resolution of complaints at the lowest possible level.

10. The ADA Coordinator will forward the investigative report to ODOT's Contract Compliance Division. ODOT will review the investigative report and forwards it to the appropriate Federal

Agency. Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, the disposition and the date of the disposition, and any other pertinent information. If for some reason, the investigation cannot be completed within the sixty-day time period, a status report will be submitted to ODOT at this stage and the report shall follow upon completion. Thereafter, the appropriate Federal Agency will review and issue the Official Letter of Findings to the complainant.

11. If the complaint cannot be resolved by CTMPO to the satisfaction of all parties concerned, the party not satisfied will be advised of his or her right to appeal pursuant to Title 49, Code of Federal Regulations, Part 21. The appeal must be filed, in writing no later than 180 calendar days after the date of the Official Letter of Findings, unless the time for filing has been extended by the Secretary.

The appeal should be sent to:

United States Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Ave, S.E., Washington, DC 20590
(202) 366-4648
<https://www.transportation.gov/civil-rights>

A complainant may also file its complaint directly with:

Oklahoma Department of Transportation
Contract Compliance Division
200 Northeast 21st Street, Oklahoma City, OK 73105
(405) 521-3186
<https://oklahoma.gov/odot/about-us/ada-and-disclaimers.html>