

# Discrimination Complaint and Compliance Review/Grievance Procedure

It is the policy of the City of Dover ("City") to ensure full compliance with federal nondiscrimination laws in all programs and activities. The City will not discriminate on the basis of race, color, national origin, religion, ancestry, ethnic group identification, creed, sex (including actual or perceived sexual orientation or gender identity), disability, mental disability, physical disability, medical condition, genetic information, marital status, veteran's status, or age in any City programs, services, or activities.

The Civil Rights Compliance Coordinator for the City of Dover will be:

Donyale Hall  
Vice Chairperson  
City of Dover Human Relations Commission  
PO Box 475  
Dover, DE 19903-0475  
302-399-8838  
[Click here to contact Donyale Hall](#)

Title VI of the Civil Rights Act of 1964 ("Title VI") prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Americans with Disabilities Act ("ADA") and Section 504 of the Rehabilitation Act ("Section 504") prohibit discrimination on the basis of disability by state or local government agencies and recipients of federal financial assistance.

Discrimination includes, but is not limited to, excluding an individual from participation in or denying an individual the benefits of any program or activity receiving Federal financial assistance due to the individual's race, color, national origin, sex, age, or disability.

The City does not exclude, deny benefits to, or otherwise discriminate against any person on the basis of race, color, religion, ancestry, ethnic group identification, national origin, creed, disability, mental disability, physical disability, medical condition, genetic information, marital status, age, veteran's status, or sex (including actual or perceived sexual orientation or gender identity) in the administration of its programs or activities, whether carried out by the City directly, through a contractor, or any other entity with whom the City arranges to carry out its programs and activities.

The City is committed to taking reasonable steps to provide timely and meaningful access for Limited English Proficient Persons coming into contact with the City's programs, services, and activities. The City will provide reasonable accommodation for persons that are visually impaired. The City will provide free language assistance to such persons. For more information on language assistance, contact

Kay Sass  
Public Affairs and Emergency Management Coordinator  
PO Box 475  
Dover, DE 19903-0475  
302-736-7003  
[ksass@dover.de.us](mailto:ksass@dover.de.us)

This Complaint and Compliance Review/Grievance Procedure is established so that any member of the public who believes he or she has been subjected to discrimination in the receipt of benefits and/or services from the City on the basis of race, color, religion, ancestry, ethnic group identification, national origin, creed, disability, mental disability, physical disability, medical condition, genetic information, marital status, age, veteran's status, or sex (including actual or perceived sexual orientation or gender identity) and wishes to file a complaint may do so following the outline below. In addition, the City's Civil Rights Compliance Coordinator may, on their own initiative, undertake compliance reviews to investigate compliance of City departments with Title VI, the ADA, Section 504, Title IX of the Education Amendments, Section 504 of the Rehabilitation Act, Age Discrimination Act and Section 13 of the Federal Water Pollution Control Act Amendments and other federal and state civil rights laws in the absence of a complaint on a periodic basis. The City is prohibited from retaliating against any member of the public who files a complaint under these procedures and any retaliation / intimidation will be handled promptly if it occurs.

The complaint shall be in writing and contain information about the complainant and the alleged discrimination such as:

1. The name, address, and phone number of complainant;
2. The location, date, and description of the alleged violation; and
3. The signature of the complainant or his or her designee.

Please see the [THE CITY OF DOVER HUMAN RELATIONS COMMISSION INTAKE FORM / DISCRIMINATION COMPLAINT FORM.](#)

If the complainant is unable to submit the complaint in writing, he or she may call the City Clerk's Office to submit a verbal complaint.

The complaint shall be submitted by the complainant or his or her designee as soon as possible but no later than 180 calendar days (waiver may be applied for a reasonable cause) after the alleged violation to:

City Clerk's Office  
City Hall  
15 Loockerman Plaza  
Dover, DE 19903  
302-736-7008  
cityclerk@dover.de.us

If a complaint is submitted directly to a City Department, office, or staff member, the City Department, office, or staff member shall forward the complaint to the City Clerk's Office within 5 calendar days.

Within 10 calendar days after receipt of the complaint:

1. the City Clerk's Office will have the City Solicitor review the complaint to determine if the Dover Human Relation Commission has jurisdiction of the complaint and send the complainant an acknowledgment letter informing her/him whether the complaint will be investigated. This letter will also inform the complainant of his/her right to file directly with the State of Delaware Division of Human and Civil Rights, or a federal agency;
2. if the City Solicitor finds jurisdiction, the complaint will be scheduled to be heard at the next Dover Human Relations Commission meeting for review and a direction will be provided. The Dover Human Relations Commission will notify the City Department that is the subject of

the complaint and request a response to the complaint and will begin an investigation. The investigation may include interviews of the complainant, City employees, contractors, subcontractors, subgrantees, and witnesses to the alleged discrimination, as well as review of any physical or written evidence.

The City Civil Rights Compliance Coordinator may attempt to conciliate and resolve the complaint through a mutually agreeable solution. Any such informal resolution must be signed by both the City Department that is the subject of the complaint and the complainant. Absent extenuating circumstances, the City Civil Rights Compliance Coordinator will complete the investigation and resolution efforts within 30 days after beginning the investigation.

An appropriate, prompt, and impartial investigation of any allegations filed under federal non-discrimination statutes will be conducted. A preponderance of the evidence standard will be applied during the analysis of the complaint. This investigation shall include collaboration with the City's Human Relations Commission.

When the City Civil Rights Compliance Coordinator determines that discrimination has occurred, and an informal resolution is not reached, the City Civil Rights Compliance Coordinator shall determine any necessary remedial actions and order the complained-of City Department to implement the accepted recommendations.

Absent extenuating circumstances, the City Civil Rights Compliance Coordinator will provide a written response to the complaint within 60 calendar days after beginning the investigation. The Coordinator will issue one of three letters:

1. a closure letter summarizing the allegations and stating that there was not a violation and that the case will be closed; or
2. a letter of resolution summarizing the allegations and describing the informal resolution mutually agreed to by the complainant and the City Department about which the complaint was submitted; or
3. a letter of finding ("LOF") summarizing the allegations and the investigation of the alleged complaint and explaining any remedial action to be taken by the City.

If the response does not satisfactorily resolve the issue, the complainant or the City Department may appeal the decision to the City Manager within 15 calendar days after receipt of the response from the City Civil Rights Compliance Coordinator. Within 30 calendar days after receipt of the appeal, the City Manager or his or her designee will meet with the complainant and the affected City Department to discuss the complaint and possible resolutions. The City Manager or his or her designee may also interview witnesses and review any physical or written evidence. Within 30 calendar days after the meeting with the complainant and City Department, the City Manager or his or her designee will respond in writing to the complainant, with a final resolution of the complaint. The City Manager contact information:

David S. Hugg, III  
City Manager  
15 Loockerman Plaza  
Dover, DE 19903  
302-736-7005  
dhugg@dover.de.us

If at any time a delay is expected, the City Civil Rights Compliance Coordinator will notify the complainant in writing of the reasons(s) for the delay and the expected date for a response.

The City Civil Rights Compliance Coordinator shall maintain records of complaints received, informal resolutions, investigation findings, appeals, and appeal decisions. The City Civil Rights Compliance Coordinator shall document actions taken to resolve each complaint, communicate complaint activity to the appropriate federal agency as required, and maintain copies of complaints and documentation of their resolution for a period of not less than two (2) years.

The City Civil Rights Compliance Coordinator (through the City Clerks office) shall furnish a report to the City Council at least annually regarding the number, nature, and status of complaints.

These procedures do not deny the right of the complainant to file a complaint with state or federal agencies, or to pursue litigation for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.