



DDA GRIEVANCE PROCEDURES

I. Informal Grievance Review

- a.** DDA encourages anyone with concerns about potential failure to provide services or discrimination in providing services to first contact DDA to discuss the complaint through an informal review process. Individuals are not required to pursue the informal process first. If preferred, they may engage in the formal complaint (grievance) process as their first step or at any point during the informal review. The informal complaint process aims to make a good-faith effort for DDA to understand the grievance issue and hopefully resolve the issue to the individual's satisfaction quickly and efficiently. An informal review may also require less documentation, reducing the burden on the individual compared to filing a formal grievance. If you have concerns about services provided by DDA or DDA practices, or would like to relay your experiences to DDA without making a formal complaint, please contact the DDA Non-Discrimination Coordinator as follows:

Mike Lewis, Chief of Community Relations, (302) 698-4500; email:
DDA_Complaints@delaware.gov

II. Formal Grievance

- a.** If you believe that DDA has failed to provide services or discriminated in another way based on race, color, national origin (including language), disability, sex, or age, you can file a grievance. See below for information about the DDA grievance or complaint procedures to make a formal complaint.
 - i. Who Can File a Discrimination Complaint?** Anyone who believes that they or a class of persons have been discriminated against may file a complaint with DDA. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group. A complainant filing on behalf of or pertaining to another person(s) is responsible for securing any necessary written consent from that individual. Complaints shall be in writing and signed by the complainant or the complainant's representative and shall include contact information for the complainant or their representative.

III. Non-Discrimination Coordinator

- a.** The Non-Discrimination Coordinator for DDA is:

Mike Lewis, Chief of Community Relations, (302) 698-4500; email:
DDA_Complaints@delaware.gov

- b.** The Non-Discrimination Coordinator is the initial point of contact for all grievances. They are responsible for overseeing and guiding the complainant through the grievance process. The Non-Discrimination Coordinator manages files and records of complaints pertaining to DDA. In addition, they are responsible for coordinating with the appropriate person(s) from DDA to ensure the grievance is processed efficiently and correctly.

IV. Submission of a Complaint

a. Filing of Complaint

- i.** A person, or the authorized representative of a person, who believes that they or a class of persons have been excluded from participation in, denied the benefits of, or subjected to discrimination under any DDA program or activity on the basis of race, color, age, national origin, disability, sex, or retaliation, may file a complaint with DDA. A complainant filing on behalf of or pertaining to another person(s) is responsible for securing written consent from that individual. Complaints must:

1. Be in writing;
2. Contain the contact information of the complainant(s), including:
 - a. Name (or, for group or association, an official representative);
 - b. Mailing Address;
 - c. Daytime Phone Number; and
 - d. E-mail Address (if appropriate)
3. Be filed within sixty (60) calendar days of an alleged violation (except as indicated in the following paragraph).
4. Describe with specificity the action(s) by DDA that allegedly result in discrimination in violation of 40 C.F.R. Parts 5 and 7.
5. Describe with as much detail as possible the discrimination that allegedly has occurred or will occur as the result of such action(s).
6. Contain the name(s), address(es) and title(s) of the alleged discriminating officials or entities.
7. Identify the names and contact information of any potential witnesses, including DDA employees or contractors with direct knowledge of the alleged discriminatory act.
8. Identify the parties impacted or potentially impacted by the alleged discrimination.
9. Be signed by the complainant or the complainant's representative. If the complainant is filing on behalf of another person, signed written consent from the individual must be included with the submission.

10. DDA may request additional information from the complainant, if this information is needed to meet the complaint requirements described above. DDA may waive requirement three (3) in its discretion, to address allegations of potential discrimination caused by pending actions at the earliest appropriate and feasible juncture; or, for good cause, to address complaints filed more than 60 days after an alleged violation. If individuals need language services, appropriate assistance will be provided.
11. Complaints may be submitted by completing the DDA Civil Rights Grievance Form
12. All written complaints shall be submitted in one of the following manners:
MAIL –
Subject line: Title VI Grievance
Address: 2320 S. DuPont Hwy, Dover, DE 19901

EMAIL –
Subject line: Title VI Grievance
Email: dda.complaint@delaware.gov

If the complainant is unable to submit a written complaint, the Nondiscrimination Coordinator should be contacted. DDA will make reasonable accommodations in its policies and procedures which are necessary to allow persons with disabilities or limited English proficiency full access to the complaint filing and investigative process.

Within ten (10) business days of receiving a written complaint, DDA will provide the complainant with written notice of receipt.

b. Determination of Jurisdiction and Investigative Merit

- i.** DDA, based on information in the complaint and other information available, will determine if it has jurisdiction to pursue the matter and whether the complaint has sufficient merit to warrant an investigation. The investigation may include interviews of the complainant, employees, contractors, subcontractors, subgrantees, those named in the complaint, and witnesses to the alleged discrimination, as well as a review of any physical or written evidence. If more information is needed to resolve the case, the Non-Discrimination Coordinator may contact the complainant. The complainant has [30] days to send requested information to the investigator assigned to the case.”
- ii.** A complaint shall be regarded as meriting investigation unless:
 1. It is not under DDA’s jurisdiction.
 2. It clearly appears on its face to be frivolous or trivial.
 3. Within the time allotted for making the determination of jurisdiction and investigative merit, DDA voluntarily concedes noncompliance and agrees to take appropriate remedial action or reaches an informal resolution with the complainant

4. Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or It is not timely, and good cause does not exist for waiving the timing requirement under section A.3.

V. Disposition of Complaints

- a. Within one hundred and twenty (120) calendar days of accepting a written complaint, DDA will respond in writing to the complainant with a resolution, including whether discrimination is found and a description of the investigation process. If DDA determines at this time that additional time is needed for its investigation, DDA will notify the complainant of this determination. The resolution will be determined based on the preponderance of the evidence.
- b. DDA may, at any time during the processing of a complaint, attempt to seek resolution of the complaint through negotiation with the complainant.
- c. DDA may dismiss a complaint for the following reasons:
 1. The complaint is not filed in a timely manner.
 2. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 3. The complainant cannot be located after reasonable attempts.
 4. There is no statutory or alleged basis for the complaint, or the complainant does not allege any harm with regard to current programs or statutes.
 5. The complaint has been investigated by another agency and the resolution of the complaint meets federal regulatory standards; e.g., all allegations were investigated, appropriate legal standards were applied, and any remedies secured meet appropriate federal standards.
 6. Credible information found at any time indicating that the allegations raised by the complainant have been resolved, or are moot and there are no class-wide allegations or implications.
 7. The same complaint allegations have been filed and are pending with another Federal, State, or local agency possessing statutory authority to accept and process such complaints.
 8. The complainant has filed a legal action in State or Federal District Court with the same basis(es) and issue(s) involved in the complaint.

VI. Record-Keeping

- a. The Non-Discrimination Coordinator will maintain a log of all Civil Rights and Non-Discrimination grievances received. This log is available for public viewing online: [Link to DDAs Log](#)
- b. DDA will periodically review these procedures to evaluate their effectiveness and any need for additional measures to ensure that any complaints DDA has

received have been resolved in a prompt and fair manner. As needed, DDA will update these procedures.

VII. Retaliation

- a.** DDA or any other person may not intimidate, threaten, coerce, or discriminate against any individual or group for the purpose of interfering with any right or privilege guaranteed under applicable state and federal law. DDA or any other person also may not intimidate, threaten, coerce, or discriminate against any individual or group because the individual has filed a complaint; has testified, assisted, or participated in any way in an investigation, proceeding, or hearing related to a DDA matter; or has opposed any practices made unlawful by DDA's nondiscrimination policy. Accordingly, any such intimidation or retaliation on the part of DDA or any DDA representative would be grounds for a complaint pursuant to these procedures and will be handled in the same manner as any other complaint of discrimination.