

DTSC Official Policy Cover Page

TITLE VI POLICY AND PROCEDURES

DTSC-OP-0025

Subject/Title of Policy

Official Policy Number
(assigned by Policy Administrator)

**Formally adopting as DTSC Official Policy,
Administrative Directive DO 6-06-09 dated 9/25/06**

9/25/06

Supersedes Number(s)

Date Issued/Effective

All Staff

Director's Office

Target Audience

Issuing Unit

Maureen F. Gorsen, Director

Name and Title of Approving Authority

(Signature on file at 9/25/06 adoption date)

X

9/25/06

Signature

Date Signed

**Title VI of the Civil Rights Act of 1964,
42 U.S.C. § 2000d et seq.
California Government Code § 11135**

Statutory Reference (if applicable):

Amendments (if applicable):



Department of Toxic Substances Control



Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806

Arnold Schwarzenegger
Governor

MEMORANDUM

TO: All DTSC STAFF EFFECTIVE DATE: IMMEDIATE

FROM: Maureen F. Gorsen EXPIRATION DATE: NONE
Director

DATE: September 25, 2006

SUBJECT: TITLE VI POLICY AND PROCEDURES

Administrative Directive No. 6-06-09

This new Administrative Directive establishes the Department of Toxic Substances Control's (DTSC) Policy regarding non-discrimination in the provision of services, administration of its programs, and contractual agreements with contractors.

POLICY

DTSC is committed to the principle of equal opportunity and equitable service for all individuals in the State of California. DTSC has and will continue to meet the intent and provisions of both Title VI of the Civil Rights Act of 1964, as amended, and Government Code section 11135. Combined, Title VI and Government Code section 11135 require that no person in the United States shall be excluded from participation, denied the benefits of, or otherwise be subjected to discrimination on the basis of ethnic group identification, religion, age, sex, color, race, national origin, or physical or mental disability in any program or activity undertaken by DTSC.

In addition, DTSC will use its best effort to ensure that those entities that receive federal or state funding from DTSC comply with Title VI and/or Government Code section 11135.

IMPLEMENTATION OF POLICY

DTSC's Director shall have final authority and responsibility for compliance with Title VI and Government Code section 11135 provisions.

DTSC's Office of Civil Rights (OCR), on behalf of the Director, will effectuate this Policy and coordinate its implementation by all of DTSC's divisions and units. In addition, OCR will serve as the point of contact for the public and DTSC staff, and will be available to consult with management, supervisors, staff, and public members on any matter regarding compliance with Title VI and/or Government Code section 11135.

DTSC's Administrative Services Program shall incorporate Title VI and Government Code section 11135 requirements in all applicable policies, procedures, bids, assurances, grants, and contracts. In addition, the Administrative Services Program will disseminate Title VI and Government Code section 11135 requirements to all DTSC contractors, subcontractors, and beneficiaries of state and federal funding.

COMPLAINT PROCEDURES

Any individual (Complainant) on behalf of themselves or a third party may file a complaint with DTSC's OCR if they feel that DTSC and/or its contractors has discriminated against them based on their ethnic group identification, religion, age, sex, color, race, national origin, or physical or mental disability.

The Complainant must file a complaint in writing to the OCR at the address noted below. All complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or,
- The date when the complainant became aware of the alleged discrimination; or,
- The date on which the alleged conduct was discontinued, if the same conduct continued over a course of time.

The Complainant should use Form 1443, *Complaint Form for Denial of Services*, which is on DTSC's Intranet Website. However, the complainant may also file a written, signed, and dated statement that:

- Provide a telephone and an address where the complainant can be contacted;
- Describe the alleged discriminatory act in detail;
- Identifies who committed the alleged discriminatory act – DTSC, contractor, subcontractor;
- Sets forth the complainant's basis for the alleged discriminatory act – race, color, national origin, sex, age, or disability.

All DTSC Staff
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The complaint can be mailed to:

Department of Toxics Substances Control
Office of Civil Rights
P.O. Box 806
1001 I Street, 11th Floor
Sacramento, CA 95814

In addition the complaint may be submitted via facsimile to: (916) 324-3111. If sent via facsimile, however, the Complainant must also mail a signed copy of the complaint within the 180-day time limit.

For more information on DTSC's Title VI program and how to file a complaint, one can view the Questions and Answers regarding Title VI on DTSC's OCR website.