

# Town of Plymouth

## Discrimination / Civil Rights Complaint & Reasonable Accommodation Procedure

### Purpose

Discrimination is defined as different treatment which makes a distinction of one person or group of persons from others; either intentionally, by neglect, or by actions or lack of actions based on the federally protected classes. A protected class refers to any person or group of people who have characteristics for which discrimination is prohibited based on a law, regulation or an executive order. A Town Government or Organization is prohibited from discriminating based on race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

### Policy

Town of Plymouth ensures the following civil rights requirements are met:

- Eliminates barriers and discrimination that prevent or deter people from receiving programs or services.
- Provides equal treatment to all applicants, participants, and beneficiaries in the delivery of programs and services.
- Ensures that all Town employees understand their rights and responsibilities as described in the following guidance documents:
  - *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
  - *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
  - *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
  - *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
  - *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.
- Shows respect and dignity to all persons regardless of race, color, national origin, sex (including gender identity and sexual orientation), age, disability, and reprisal or retaliation for prior civil rights activity.

### Complaint Procedure

If any person or person(s) believes they or someone they know has been discriminated against based on the federally protected classes listed above, they have a right to file a complaint within 30 days of the alleged discrimination. The complainant and complaint must be kept confidential.

Complaints of discrimination shall be investigated within 30 days of receipt. The determination of whether or not a particular action constitutes discrimination shall be made from the facts on a case-by-case basis. In determining whether alleged conduct constitutes discrimination, the Select Board shall look at the record as a whole and at the totality of the circumstances, such as the nature of the behavior and the context in which the alleged incidents occurred. If discrimination is found to exist, prompt corrective action shall be taken. If the complaint involves the Select Board, or the remedy is not sufficient, the complaint can be referred to the State of Vermont Human Rights Commission at <https://hrc.vermont.gov>.

If a complaint is received verbally and the complainant does not want to put the allegations in writing themselves, the Town of Plymouth will complete the following three steps:

1. Transcribe the elements of the complaint, ensuring the following information is included:
  - a. Contact Information (name, address, phone number, and/or email address of complainant) unless the complaint is anonymous.
  - b. Indication if the complaint was made verbally or in-person.
  - c. Name of site and location of the incident.
  - d. Nature of the incident.
  - e. Basis for alleged discrimination (race, color, national origin, sex (including gender identity and sexual orientation), age, disability or reprisal or retaliation for prior civil rights activity).
  - f. Names, titles, business addresses, and phone numbers of any person who may have knowledge of the discriminatory action.
  - g. Date(s) when the alleged actions occurred. If the discriminatory action is ongoing, include the duration of such actions.
2. Maintain records of all civil rights complaints in a secure location.

## **Request for Reasonable Accommodation**

If an individual needs a reasonable accommodation including language, a request can be submitted to the Town Clerk verbally, in writing or via email at [clerk@plymouthvt.org](mailto:clerk@plymouthvt.org).

At this point in time there are no individuals within the town population of approximately 650 that are categorized as Limited English Proficiency (LEP) individuals.

- If a request for a reasonable accommodation (including language) is received:
- The Town Clerk will receive the request
- The Town Clerk will retain the request for record keeping purposes
- The town Clerk will evaluate the request
- If the request is reasonable, the accommodation will be made
- If the request is for language services
  - Translation of documents will be provided using online translation tools;
  - Audio services will be provided using online/digital reading services;
  - Large print can be offered through printing options; and
  - If other services are required, the Town Clerk will investigate options through

## **U.S. Department of Health and Human Services**

Office for Civil Rights

U.S. Department of Health and Human Services Government Center

J.F. Kennedy Federal Building - Room 1875

Boston, MA 02203

Customer Response Center: (800) 368-1019

Fax: (202) 619-3818 TDD: (800) 537-7697


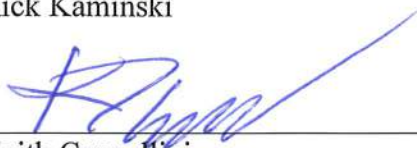
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)

If the request is unable to be fulfilled and there is an alternative that will be offered:

- The individual making the request will be notified in writing or via email within 30 days
- The request will be closed

The foregoing Procedure is hereby approved by the Select Board of the Town of Plymouth, Vermont on this 11<sup>th</sup> day of September, 2024 and is effective of said date until revised or repealed.

**Select Board**

  
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Jay Kullman, Chair  
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Rick Kaminski  
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Keith Cappellini