

## State of Vermont Agency of Human Services (AHS)

<b>Policy Title: 1.11 Nondiscrimination Policy/Grievance Policy</b>	<b>Revision Date: 10/1/20</b>
<b>Attachments/Related Documents:</b>	<b>Revision Number: 1</b>
<b>Name/Title of Authorizing Signature: Michael K. Smith, AHS Secretary</b>	<b>Effective Date: 5/13/09</b>
<input checked="" type="checkbox"/> <b>Trauma Informed Review</b>	

**Authorizing Signature:** 

### POLICY STATEMENT

The purpose of this policy is to state the Agency of Human Services and its departments prohibition against discrimination based on race, religion, color, national origin, genetic information, marital/familial status, sex, sexual orientation, gender identity, age, pregnancy status, place of birth, crime victim status, military, veteran status, disability, or any other protected status, in the administration of our programs, services, and activities. This policy also establishes the complaint/grievance process to follow in the event of a claim of discrimination other than those lodged by employees.

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## RELATED POLICIES

State of Vermont Americans with Disabilities Act Purpose Grievance Procedure

<http://www.vermont.gov/portal/policies/accessibility.php>

Agency of Human Services Nondiscrimination Regarding Services and Benefits

<http://humanservices.vermont.gov/policy-legislation/policies/01-general-operations-policies/doc051309non-discriminationpolicy.pdf/view>

## AHS NONDISCRIMINATION POLICY

Your civil rights are important to us. We do not discriminate in the administration of our programs, services, or activities, nor do we exclude any individual from participation in our programs, services, or activities based on race, religion, color, national origin, genetic information, marital/familial status, sex, sexual orientation, gender identity, age, pregnancy status, place of birth, crime victim status, military, veteran status, disability, or any other protected status.

## RIGHTS OF PEOPLE WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY

If you need support with communication, we can provide you with free aids and services such as:

- A qualified interpreter, or other effective methods of making all materials available to individuals with hearing impairments
- Large print
- Audio files
- Accessible electronic formats, etc.
- Written information in your primary language

If you need any of these services, please contact us through the AHS Secretary's Office at:

AHS Secretary  
280 State Drive, HC 1 North, Waterbury, VT 05671-1080  
phone: 802-241-0440  
email: [AHS.Secretary@vermont.gov](mailto:AHS.Secretary@vermont.gov)  
Fax: 802-241-0450

## AHS COMPLAINT/GRIEVANCE POLICY

"We care about the protection of your civil rights and the ability to equally access high quality services."

To this end, we have established an internal grievance process to ensure prompt and equitable resolution of all complaints. Please know, if you file a complaint with us, we are prohibited by law from retaliating against you, and we are also prohibited by law from retaliating if you participate in an investigation.

If you believe that we have failed to provide any of the services listed above or discriminated in another way based on race, religion, color, national origin, genetic information, marital/familial status, sex, sexual orientation, gender identity, age, pregnancy status, place of birth, crime victim status, military, veteran status, disability, or any other protected status, you can file a complaint with us.

## How to File a Complaint

Our Internal Review Process is here to help. Here are a few things to keep in mind along with what you need to do. You need to file your complaint within 180-days from the date you became aware of the alleged discrimination. The Secretary's office will help you through the process. They can be reached at:

AHS Secretary  
280 State Drive, HC 1 North, Waterbury, VT 05671-1080  
phone: 802-241-0440  
email: [Secretary@vermont.gov](mailto:Secretary@vermont.gov)  
Fax: 802-241-0450

You may submit your complaint in writing or verbally. If you choose to submit your complaint in writing, you may request and use our Discrimination Complaint Form, or you may submit it in the written format of your choice. We will notify you within 5-business days that your complaint was received. Someone will work with you to navigate the complaint process. Your complaint should include:

- Your name, address, and preferred method for us to be in touch with you
- Describe what happened to make you feel discriminated against
- Tell us how you would like us to resolve and correct the situation

## What to Expect After the Complaint is Filed

Once the AHS Secretary's Office receives your complaint, they will reach out to the appropriate department, agency, or partner to begin a review.

DEPARTMENT	ADA OFFICER
Agency of Human Services Central Office	Dawn O'Toole, dawn.otoole@vermont.gov
Department of Mental Health	Frank Reed, frank.reed@vermont.gov
Department of Vermont Health Access	Hera Bosley, hera.bosley@vermont.gov
Department of Health	Tracy Dolan, tracy.dolan@vermont.gov
Department for Children and Families	Doreen Marquis, doreen.marquis@vermont.gov
Department of Corrections	Heather Simons, heather.simons@vermont.gov
Department of Disabilities, Aging & Independent Living	Monica White, monica.white@vermont.gov

We will notify you on the status of our review within 30 days of the date you file the complaint.

Once our review is complete, you will receive a final response to your complaint.

If you believe that your civil rights have been violated, you may also be experiencing the effects of trauma exposure. Please note that there are supports available to you by contacting 211 for mental health services in your area or text VT to 741741.

## YOU HAVE A RIGHT TO A FAIR HEARING

If you disagree with our final decision, you may ask for a fair hearing with the Human Services Board. The Human Services Board will:

- Review the facts of your complaint in a fair and objective manner
- Decide whether the final decision should be upheld or reversed (this decision may be appealed to the Vermont Supreme Court)
- The Human Services Board will render a written decision after hearing the case (you may appeal this decision to the Vermont Supreme Court)

### How to Request a Fair Hearing

To request a fair hearing you may call, the Consumer Concerns Team at 802-241-0925 or the Human Services Board at 802-828-2536. You may also send your request for a fair hearing by mail to:

Human Services Board  
118 State Street  
Montpelier, VT 05602

Your request for a fair hearing must be received within 90-days of the Final Written Decision or of the date giving rise to your complaint.

## YOU HAVE A RIGHT TO

File a complaint with the Vermont Human Rights Commission. The Commission protects people from unlawful discrimination in housing, state government employment, and public accommodations – including government operated programs and facilities.

Vermont Human Rights Commission  
14-16 Baldwin Street  
Montpelier, VT 05633-6301  
[human.rights@vermont.gov](mailto:human.rights@vermont.gov)

## OTHER OPTIONS

You may have the right to file a complaint with other agencies. For example, you may be able to file a complaint with the:

- Vermont Human Rights Commission, 802-828-2480
- U.S. Department of Health and Human Services, Office of Civil Rights (OCR). A complaint to OCR must be received within 180 days of the alleged act of discrimination. 1-800-368-1019, TTD 1-800-537-7696
- U.S. Department of Justice, Office of Civil Rights 202-514-3847, TTY 202-514-0716

## CIVIL RIGHTS LAWS AND REGULATIONS

Below is a list of the major civil rights laws and associated regulations. These laws and regulations each prohibit specific types of discrimination. If you need help obtaining a copy of these laws, please contact the Consumers Concerns Team listed above. There may be other nondiscrimination protections beyond this list:

- Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et Seq., 28 C.F.R. Part 35)
- Section 504 of the Rehabilitation Act of 1973, as amended (29U.S.C. 794, 45 C.F.R. Part 84)
- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et Seq., 45 C.F.R. Part 80)
- Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 et seq., 45 C.F.R. Part 86)
- Age Discrimination Act of 1975 (42 U.S.C. 6101 et Seq., 42 C.F.R. Part 91)
- Public Accommodations (9 V.S.C. 4501 et. seq.)