

How to File a Civil Rights Complaint With the Department of Children and Families

What is a Civil Right?

A Civil Right is an enforceable right or privilege, which if interfered with by another gives rise to an action for injury. These rights are guaranteed under the U.S. Constitution, federal and state laws. Examples of Civil Rights are freedom of speech, press, and assembly; the right to vote; and the right to equality in a public place.

Who can file a Complaint?

Any person who is seeking services, from programs receiving federal financial assistance may file a complaint if they feel they have been discriminated against.

Informal Complaint: Customers are encouraged to try to resolve all complaints/grievance at the lowest level, i.e., using the provider/agency's complaint process to remedy the complaint/grievance.

Types of Complaints:

Civil Rights Complaint (Title VI): Service Delivery Complaint

A discrimination complaint/grievance, under Title VI of the Federal Civil Rights Act of 1964, asserts that an applicant or participant has been treated differently, due to their protected class status or the policies or procedures have been implemented in such a way that has the affect of discriminating, intentional or not. Differential treatment could cause a delay in services or denial of benefits that the person(s) would otherwise be entitled to. Protected classes include, but are not limited to:

- Age
- Race
- Color
- Sex/Gender
- National origin or ancestry
- Disability or association with a person with a disability

Lack of Accessibility:

- Language barrier –Covered under Executive Order 13166
- Physical barrier – Covered under Title II, ADA of 1990 and Section 504 of the Rehabilitation Action of 1973

Language Access and Interpreter Services: Title VI prohibits discrimination because of race, color or national origin. In 2000, Executive Order 13666 was signed into law by President Clinton – an order that mandated Recipients of federal assistance to provide improved and meaningful communication to those who do not speak English very well, without cost to the individual. **If you do not speak English, you are entitled to interpretation services to ensure meaningful access to the provisions of the Civil Rights Act.**

To file a service delivery complaint with the DCF, the applicant/participant can obtain a complaint form from the provider agency's Equal Opportunity Coordinator, from the DCF Equal Opportunity Officer (EOO), (608) 266-5335/ (866) 864-4585 TTY (Toll Free), or from the DCF website under the title [DCF Service Delivery Discrimination Complaint](#)

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[form](#) DCF-F-2466-e (instruction for completing the form can be found on the back of the form).

Timeframe for Filing Service Delivery Discrimination Complaints

- Complaints/grievances alleging discrimination or Civil Rights Compliance violation must be filed within **180** days of the when the discrimination occurred. Participants are encouraged to resolve all complaints informally, using the complaint process of the provider/agency, rendering the service.

Americans with Disabilities Act (ADA) Title II / Section 504 Complaints/Grievances:

A discrimination complaint/grievance brought under the Americans with Disabilities Act (ADA), asserts that an applicant or participant has been discriminated against, because of her/his disability status.

What is a disability? A disability is a condition which limits a person's ability to function in major life activities – including communication, walking, and self-care (such as feeding and dressing oneself) – and which is likely to continue indefinitely, resulting in the need for supportive services.

A person with a disability is one who:

- (1) Has a physical or mental condition that substantially limits a major life activity,
- (2) Has a record of such a condition, or
- (3) Is regarded as a person with a disability

To file a Title II ADA/Section 504 complaint/grievance with DCF, the applicant/participant can obtain a complaint form from the provider agency's Equal Opportunity Coordinator, from the DCF Equal Opportunity Officer (EOO), (608) 422-6889 or via Wisconsin Relay Service (WRS) at 711 or from the DCF website under the title [DCF Service Delivery Discrimination Complaint form](#) DCF-F-2466-e (instruction for completing the form can be found on the back of the form). Participants are encouraged to resolve all complaints informally, when possible.

The applicant/participant may also file a complaint/grievance with the [US Department of Health and Human Services \(DHHS\)](#) <http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf> and/or with the [U.S. Justice Department](#) <http://www.ada.gov/t2cmpfrm.htm>.

HHS, Director, Office for Civil Rights
Room 506-F,
200 Independence Avenue, S.W.,
Washington, D.C. 20201
(202)-619-0403 (Voice)
(202)-619-3257 (TTY)

U.S. Dept. of Health and Human Services
Office for Civil Rights
Region V, 233 N. Michigan Ave.
Chicago, IL 60601
Telephone: 312-886-2359, TDD: 315-353-5693

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Coordination and Review Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(888) 848-5306 - English and Spanish (inglés y español)
(202) 307-2222 (voice)
(202) 307-2678 (TDD)

Disability Complaints:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Disability Rights Section - NYAV
Washington, DC 20530
800-514-0301 (voice)
800-514-0383 (TTY) (also in Spanish)

Timeframe for Filing ADA Title II/Section 504 Complaints/Grievances

- Complaints/grievances alleging discrimination or Civil Rights Compliance violation must be filed within **180** days of the when the discrimination occurred.
- Participants are encouraged to resolve all complaint informally, using the complaint procedures, at the agency rendering the service.

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