

Notice of Nondiscrimination/Non-Employee Discrimination Complaint Procedure

Notice of Non-Discrimination

The Town of Holden Beach assures that no person shall be excluded from participation in, be denied the benefits of or be subjected to discrimination on the basis of race, color, national origin, sex, age or disability in the administration of its programs or activities, as is required by applicable laws and regulations, including Title VI of the Civil Rights Act of 1964; the Age Discrimination Act of 1975; the Americans with Disabilities Act; Section 13 of the Federal Water Pollution Control Act Amendment of 1972; and 40 C.F.R. Parts 5 and 7.

If you believe you have been excluded from participation in, been denied the benefits of, or been subjected to discrimination, on the basis of race, color, national origin, sex, age or disability or retaliation under any Town of Holden Beach service, program or activity, you may file a discrimination complaint with the Town's Civil Rights Coordinator (hereinafter Coordinator).

Complaint Procedure

This document outlines the complaint procedures relating to the Town's provisions of programs and services. The Coordinator shall be responsible for the coordination and oversight of these procedures. The Coordinator will receive and review complaints, investigate complaints or arrange for the investigation of complaints, issue letters and notices and perform other actions necessary to fulfill the Town's obligations under nondiscrimination statutes.

If a discrimination complaint about a Town program or service cannot be resolved informally, the complainant may file a complaint with the Coordinator using the below procedures.

1. The complaint must be submitted to the Coordinator no later than 30 days after the date of the alleged discrimination.
2. A Non-Employee Discrimination Complaint Form can be obtained by downloading the form from the Town's website at: <https://hbtownhall.com>. The following information is required on the complaint form, or you may submit a signed written statement that contains all the following written information:
 - a. Your name, address and how to contact you (phone number, email address, etc.).
 - b. The basis of the alleged discrimination (race, color, sex, national origin, age or disability).
 - c. The date or dates on which the alleged discriminatory event or events occurred.
 - d. A statement that describes how, why, when and where you believe you were excluded from participation in, were denied the benefits of, or were subjected to discrimination.
 - e. Include the location, names and contact information of any witnesses.
 - f. You or your designee must sign your letter of complaint.
3. If the complainant is unable to write a complaint, the Coordinator should be contacted for assistance. The Town of Holden Beach is committed to providing open access to its services

to persons with limited ability to speak or understand English; if requested by the complainant, the Coordinator will arrange language translation services.

4. The signed and dated complaint should be sent to the following address: Town of Holden Beach, Attn: Town Clerk, 110 Rothschild Street, Holden Beach, NC 28462 or email heather@hbtownhall.com.
5. A letter acknowledging receipt of the complaint will be issued to the complainant within ten (10) business days of its receipt by the Coordinator.
6. Complaints, within the Town of Holden Beach's jurisdiction, will be investigated promptly and impartially. Reasonable measures will be taken to preserve any information that is confidential. At a minimum, the investigation will:
 - a. Identify and review all relevant documents, practices, and procedures.
 - b. Identify and interview persons with knowledge of the alleged discrimination—for example, the person making the complaint, witnesses, or anyone identified by the complainant, anyone who may have been subjected to similar activity, or anyone with relevant information.
7. The Coordinator, in consultation with the Town Attorney, will review the complaint and may solicit additional information from the complainant. If the additional information is requested and not received within thirty (30) days, the case may be closed. The case may be closed if the complainant no longer wishes to pursue the case.
8. Upon completion of the investigation, the Coordinator will provide the information to the Town Manager who will make a determination and prepare a final report. The investigation process and final report should be completed within 120 days of receipt of the complaint. When a violation is found to exist, corrective action will be taken within the timeline provided in the final report. The complainant and respondent will receive a copy of the final report with all required corrective actions.
9. Any person who files a complaint or testifies, assists, or participates in a discrimination complaint investigation, proceeding or hearing may not be intimidated or retaliated against by the Town for the purpose of interfering with any right or privilege guaranteed by applicable federal laws.
10. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination.