



## IOWA DEPARTMENT OF NATURAL RESOURCES HOW TO FILE A DISCRIMINATION COMPLAINT DISCRIMINATION COMPLAINT PROCEDURE

### **Our Commitment to You: Nondiscrimination at the Iowa DNR**

The Iowa Department of Natural Resources' (DNR) discrimination complaint procedures provide a process for any person or group to submit a complaint alleging discrimination, intimidation, and/or retaliatory conduct by DNR or affiliated organizations because of someone's:

- Race or color,
- Creed or religion,
- National origin or ability to speak or understand English,
- Sex, sexual orientation, or gender identity, or
- Age or disability

in the administration of its programs or activities, as required by applicable laws and regulations. DNR will not tolerate discrimination, intimidation, threats, coercion, or retaliation against any individual or group because they have exercised their rights protected by federal or state law.

### **Filing a Discrimination Complaint**

DNR's Nondiscrimination Coordinators are here to help if you think your rights have been violated. Their job is to:

- receive and review complaints
- communicate with complainants
- investigate complaints
- issue letters and notices, and
- take other steps needed to fulfill DNR's obligation under non-discrimination statutes

DNR is committed to the prompt and fair resolution of complaints that allege violation of federal non-discrimination laws.

### **Help for People with Disabilities**

If you need a reasonable accommodation to use DNR's programs or services because of a disability, please contact your local field office or the DNR's ADA coordinator at 515-725-8200. You can also ask for this information in alternative formats. To do so, contact the DNR at 515-725-8200. If you use a TTY, contact Relay Iowa at 800-735-2942.

#### **Free language assistance – Asistencia gratuita en idiomas**

If you speak a language other than English, we offer free language help. Call (515) 725-8200.

Si habla un idioma distinto del inglés, ofrecemos asistencia lingüística gratuita. Llame al (515) 725-8200.

### **Three avenues for discrimination complaints include:**

- A. Tell DNR about your discrimination concern (Informal Complaint)
- B. Filing a discrimination complaint with DNR (Formal Complaint)
- C. Submitting a formal complaint to other agencies

### **Option A: Tell DNR About Your Discrimination Concern (Informal Complaint)**

If you have a concern about discrimination in DNR services or programs, or feel you have been discriminated against, we encourage you to talk to DNR's Nondiscrimination Coordinator first.

This is an easy, informal way to try and solve the problem quickly. You do not have to do this first. You can file a formal complaint right away if you prefer, or switch to the formal complaint process at any time.

**If you have a concern about discrimination that you want to share with us - without filing a formal complaint - you can contact:** Rachel Zander at [civilrights@dnr.iowa.gov](mailto:civilrights@dnr.iowa.gov) or 515-725-8200.

**Option B: Filing a Discrimination Complaint with DNR (Formal Complaint)****Step 1: How to File**

You can file a formal complaint if you believe you or others have been discriminated against. This process can be used by people who are not DNR employees.

**A. Deadline to File:** You or your designee must submit your complaint within **180 calendar days** from one of these dates:

- The date the alleged discrimination happened.
- The date you found out about the alleged discrimination.
- The date the unfair treatment ended, if it happened over a period of time.

Failure to submit your complaint within 180 days may result in it being rejected.

**B. Where to Send Your Complaint:** You or your designee must send your written complaint to DNR by mail, email, via Google Form, or by delivering in person to the address below.

- **Mail:** Iowa Department of Natural Resources  
c/o Rachel Zander or Emily Cohen  
6200 Park Ave Ste 200  
Des Moines, IA 50321
- **Email:** [civilrights@dnr.iowa.gov](mailto:civilrights@dnr.iowa.gov)

**Step 2: What to Include in Your Discrimination Complaint**

Your complaint must be written and include the following information:

- Your name, mailing address, and home address
- The name of the person(s)/organization/company who allegedly discriminated against you or others (the “respondent”)
- A detailed description of the alleged discrimination. Be sure to include:
  - Which protected class(es) you believe was the reason for the discrimination (like your race, national origin, language, age, sex, disability).
  - The date of the encounter. If it was not within 180 days of submitting your complaint to DNR, you must explain why you are filing late.
- Tell us if you have filed a complaint with another agency or a court. If so, give us their name and contact information.
- Your signature and the date.

If you cannot write your complaint, contact our Nondiscrimination Coordinator to get a reasonable accommodation. DNR can provide help, like using a relay service for people with hearing impairment, or providing an interpreter for those who speak limited English. DNR will make sure you have full access to the complaint process.

**Step 3: What Happens After You File**

**A. Review:** When we receive your discrimination complaint, DNR will review it to see if it is appropriate for investigation and if DNR has the authority to investigate. DNR has jurisdiction and can investigate if:

1. The complaint is in writing (unless DNR has provided you with an accommodation).
2. The complaint alleges a discriminatory action that, if true, may violate civil rights laws that apply to DNR.<sup>1</sup> Discrimination may include discriminatory treatment or intimidation or retaliation toward any person or persons based on a personal characteristic listed at the beginning of this document or based on a previous interaction with DNR.
3. The person or organization you are complaining about is part of the DNR or has a particular relationship in receiving money from DNR (a subrecipient of federal funding).

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<sup>1</sup> See: Environmental Protection Agency regulations: Title 40 Code of Federal Regulations [Part 5](#) and [Part 7](#); Department of Interior regulations: 43 C.F.R. Parts 17 and 41; and Department of Homeland Security regulations: 6 C.F.R. Parts 17 and 21; 44 C.F.R. Parts 7 and 19.

4. The complaint was filed within the 180-day deadline (or the Nondiscrimination Coordinator has agreed that you have a good reason why it was not). In determining whether good cause to waive the 180 day deadline exists, the Nondiscrimination Coordinator will consider whether it's possible to investigate the facts after a long delay.

**B. Acceptance or Rejection:** If DNR can investigate your discrimination complaint, DNR will send you a letter of acceptance within 10 business days ("letter of acceptance"). If the complaint does not fall within one of the applicable civil rights laws and/or DNR does not have jurisdiction and cannot investigate, DNR will send you a letter explaining why ("no-jurisdiction letter"). DNR may refer a complaint to another agency, and will tell you if we do so.

**Special Rule for DOT Complaints:** We will send all complaints about U.S. or Iowa Department of Transportation (DOT) funded activities to Iowa DOT. DNR may be able to accept and investigate complaints against subrecipients of U.S. or Iowa DOT funding.

#### Step 4: Investigation and Resolution

**A. Accepted Complaint Next Steps:** Once DNR has accepted your discrimination complaint, the Nondiscrimination Coordinator will:

- Provide notice to the person/organization you have named in your discrimination complaint (respondent) to tell them a complaint has been received, an investigation is beginning, and asking them to provide a written response.
- Investigate your claims in a timely and fair way. Our investigation may include interviewing you, DNR staff, any witnesses, and anyone else with first-hand information, as well as reviewing documents and other evidence submitted by both parties.
  - When additional information or an interview is needed from you, the Nondiscrimination Coordinator will attempt to reach you by phone, then by email and letter. You have 15 days from the date of the letter to provide the requested information or to contact the Nondiscrimination Coordinator to schedule an interview time.
  - If the Nondiscrimination Coordinator is not contacted or does not receive the additional information within 20 days, the Nondiscrimination Coordinator may administratively close the case.
- During the investigation, the Nondiscrimination Coordinator will apply a "preponderance of the evidence" standard. This is a standard commonly described as "more likely than not." It means the evidence must show that it is more likely than not that respondent(s) acted in a discriminatory manner or failed to comply with the laws addressing discrimination.
- Attempt, if possible, to conciliate and resolve the complaint through a solution that both sides agree on. If we do, the Nondiscrimination Coordinator will send a letter explaining the agreement, which will close the complaint file.

**B. After the Investigation:** Using the "preponderance of the evidence" standard, the Nondiscrimination Coordinator will make preliminary findings and issue either: a closure letter or a notice of finding.

- A closure letter will be issued when there is no finding of a violation under the laws addressing discrimination. The closure letter will summarize the allegations and investigative process and state that the complaint shall be closed. The Nondiscrimination Coordinator will send a closure letter to both you and the respondent. This type of preliminary finding will result in DNR's closure of the complaint file.
- If, by a preponderance of the evidence, the Nondiscrimination Coordinator determines the respondent(s) failed to comply with the laws addressing discrimination, a notice of finding will be issued. The notice of finding will summarize the allegations and investigation and explain the actions that the respondent will take to address the areas of noncompliance identified by the Nondiscrimination Coordinator. The letter will describe a reasonable time frame for the respondent to take those actions.

**C. Important Notes**

- This process does not stop you from filing a complaint with other state or federal agencies, or from hiring a lawyer.

- Any action that DNR takes to resolve a complaint should not be construed to constitute an admission that any discrimination has occurred, and any written documents prepared by DNR in response to a complaint constitute an offer of compromise subject to Federal Rule of Evidence 408 and equivalent state rules.
- The Nondiscrimination Coordinator will maintain copies of complaints and related documentation for at least two years or as consistent with DNR's record retention schedule, whichever is longer.

**Option C: Submitting a Formal Discrimination Complaint to Other Agencies**

You can also file your discrimination complaint with other agencies. You will need to follow each agency's rules for how to submit a complaint, so check their website for instructions on how to file.

A. U.S. EPA, Office of External Civil Rights Compliance

Mail to: U.S. Environmental Protection Agency

Mail code 2310A  
1200 Pennsylvania Ave NW  
Washington, DC 20460

Email to: [Title\\_VI\\_Complaints@epa.gov](mailto:Title_VI_Complaints@epa.gov)

Website for additional information: <https://www.epa.gov/external-civil-rights>

B. U.S. Department of the Interior, Office of Civil Rights

Mail to: Director, Office of Civil Rights

Department of the Interior  
1849 C St NW  
Washington, DC 20240

Website for additional information: <https://www.doi.gov/pmb/eo/Public-Civil-Rights>

C. U.S. Department of Homeland Security (including U.S. Coast Guard), Office for Civil Rights and Civil Liberties

Mail to: (this method can take up to 20 business days)

U.S. Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
Compliance Branch, Mail Stop 0190  
2707 Martin Luther King Jr Ave SE  
Washington, DC 20528-0190

Email to: [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov)

Website for additional information: <https://www.dhs.gov/file-civil-rights-complaint>

D. Federal Emergency Management Agency, External Civil Rights Division

Mail to: FEMA Office of Civil Rights

C St SW Rm 4SW-0915  
Washington, DC 20472-3505

Email to: [FEMA-CivilRightsOffice@fema.dhs.gov](mailto:FEMA-CivilRightsOffice@fema.dhs.gov)

Website for additional information: <https://www.fema.gov/about/civil-rights/survivors/complaint>

E. U.S. Department of War (including U.S. Army Corps of Engineers), Defense Privacy, Civil Liberties, and Transparency Division

Mail to: Defense Privacy and Civil Liberties Division

4800 Mark Center Dr Mailbox 24 Ste 08D09  
Alexandria, VA 22350-1700

Email to: [osd.ncr.odam.mbx.civil-libertiescorrespondence@mail.mil](mailto:osd.ncr.odam.mbx.civil-libertiescorrespondence@mail.mil)

Website for additional information: <https://pctl.defense.gov/DIRECTORATES/Privacy-and-Civil-Liberties-Directorate/Civil-Liberties/Resources/FAQs/#9>

F. U.S. Department of Agriculture

Mail to: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Ave SW  
Washington, DC 20250-9410

Email to: [program.intake@usda.gov](mailto:program.intake@usda.gov)

Website for additional information: <https://www.usda.gov/about-usda/general-information/staff-offices/office-assistant-secretary-civil-rights/how-file-program-discrimination-complaint>

G. U.S. Department of Transportation

Mail to: Federal Highway Administration  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Ave SE 8<sup>th</sup> Flr E81-105  
Washington, DC 20590

Website for additional information: <https://www.transportation.gov/civil-rights/complaint-resolution/public-complaint-process> (FHWA)

H. Iowa Office of Civil Rights

Mail to: Iowa Office of Civil Rights  
6200 Park Ave Ste 100  
Des Moines, IA 50321-1270

Website for additional information: <https://icrc.iowa.gov/file-complaint>