

Clinton County Chapter, NYSARC, Inc.  
231 New York Road  
Plattsburgh, NY 12903

# Title VI Plan

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## **Policy Statement**

The Clinton County Chapter, NYSARC, Inc. assures that no person shall on the grounds of race, color, national origin or sexual orientation as provided by Title VI of the Civil Rights of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Clinton County Chapter, NYSARC, Inc. further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

### **Additional information**

Individuals who would like more information concerning the Clinton County Chapter, NYSARC, Inc.'s Civil Rights Policy and Title VI Program can be obtained by contacting;

Clinton County Chapter, NYSARC, Inc.  
Transportation Department  
231 New York Road  
Plattsburgh, NY 12903

### **Complaint Procedures**

Individuals or families receiving transportation services from the Clinton County Chapter, NYSARC, Inc. that believe they have been subject of discrimination on the grounds of race, color, national origin or sexual orientation can file a complaint with the agency under Title VI of the Civil Rights Act of 1964. All discrimination complaints should be sent to the address above. Complaints can also be filed by completing and submitting the Complaint Form (Appendix A).

### **Notice Posting**

This notices shall be posted at the four main program sites; Transportation Department, 391 Tom Miller Road, Plattsburgh, NY 12901, Champlain Valley Industries, 9 Industrial Blvd., Plattsburgh, NY 12901, PATH 279 New York Road, Plattsburgh, NY 12903 and Southside Administration Building, 231 New York Road, Plattsburgh, NY 12903 as well as in all agency buses.

### **Authority**

Title VI of the Civil Rights Act of 1964 is the Federal Law that protects individuals from discrimination on the basis of their race, color or national origin in programs that receive Federal financial assistance.

## **Title VI Coordinator**

The Clinton County Chapter, NYSARC, Inc. has designated the Transportation Director as the Title VI Coordinator responsible for initiating, monitoring and insuring the agency's compliance with the applicable Title VI requirements related to;

1. Title VI Posting
2. Periodic Program Review and Updating as required
3. Record keeping and Reporting Requirements
4. Complain processing, review and investigation
5. To respond to inquiries regarding the agency's Title VI Program

## **Notification of Beneficiaries**

Under Title VI the Clinton County Chapter NYSARC Inc. is required to provide information to the people utilizing this service regarding the agency's obligations under Title VI regulations and apprise them of the protections against discriminations afforded to them by Title VI. The agency shall disseminate this information to the population served by posting the Title VI policy notice on the agency's website as well as the four main program sites listed in notice posting of the Policy Statement.

## **Title VI Complaint Procedures**

In compliance with the Title VI regulations, the Clinton County Chapter, NYSARC, Inc. adheres to the following complaint procedures for all individuals who believe they may have been subject to discrimination in the deliverance or exclusion of transportation services. These procedures do not deny the right of an individual to file a formal complaint with other State or Federal agencies.

1. Submit a completed Complain Form. To initiate a complaint of alleged discrimination a Complain Form must be completed and submitted. A copy of the Complaint Form is attached as Appendix B of this document or the agency's website [www.cviarc.org](http://www.cviarc.org). The fully completed Complaint Form must be mailed or delivered to: Clinton County Chapter, NYSARC, Inc. Attn. Transportation Director, 231 New York Road, Plattsburgh, NY 12903. Complaints of incidents that allegedly occurred within 180 days from the receipt of the complaint will be reviewed.
2. Upon receipt, the Complain Form will be reviewed and the complainant will be sent an acknowledgment letter advising whether the complaint will be investigated by the agency.
3. If an investigation is warranted, the agency will work to complete the investigation with 60 days from receipt of the complaint. If additional information is required, the agency may contact the complainant. The complainant has 30 days from the date of the notification to provide the additional

- information requested. If the additional information requested is not received within this time frame, the agency can administratively close the case. If the complainant informs the agency they no longer wish to pursue their case, it can also be closed administratively.
4. Once an investigation is completed, the complainant will be notified by mail of the findings in the form of a “Closure Letter” or a “Letter of Findings”. A Closure Letter will summarize the allegations and provide information that support the findings that no Title VI violation occurred, closing the case. A Letter of Findings will summarize the allegations, result of the investigation and explain the course of corrective action taken if applicable.
  5. If an individual wishes to appeal the decision, it must be filed within 30 days after the date of the investigation. The appeal must be filed with; Clinton County Chapter, NYSARC, Inc. Attn. Transportation Department, 231 New York Road, Plattsburgh, NY 12903.

Any individual has the right to file a complaint directly with the Federal Transit Administration at; FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Clinton County Chapter, NYSARC, Inc. shall keep a Complaint Log (Appendix B) of all Investigation, Complaints and Lawsuits under Title VI. This information to be maintained will include; Date of Complaint, Summary of the Allegation(s), Investigation Summary, Findings of the Investigation and Action take to complete the investigation. The Complaint Log is kept at the Transportation Facility and is maintained by the Title VI Coordinator. Reporting of this information will be done through the Section 5310 Semi-Annual Report.

### **Title VI Complaints, Investigations and Lawsuits**

Clinton County Chapter NYSARC Inc. shall keep a log of all investigations, complaints and lawsuits under Title VI, including the date that the investigation, complaint or lawsuit was filed, a summary of the allegation(s); the status of the investigation, complaint or lawsuit; and actions taken by the agency in response, or final findings related to the investigation, complaint or lawsuit. A copy of the Complaint Log for Clinton County Chapter NYSARC Inc. is attached at Appendix C.

The log shall be included in a report submitted to the New York State Department of Transportation or the Federal Transit Administration as required.

## **Limited English Proficiency (LEP) Plan**

Title VI of the Civil Rights Act of 1964 requires agencies who received FTA funding to take reasonable steps to ensure access to services and information for individuals who are Limited English Proficient (LEP).

LEP populations are people for whom English is not their primary language and who have a limited ability to speak, understand, read or write English. LEP populations include both people who report to the U.S. Bureau of Census that they do not speak English well and people who report that they do not speak English at all. Clinton County Chapter, NYSARC, Inc. has instituted steps to provide services to individuals with limited English proficiencies.

Based on data in the American Community Survey 5 – Year Estimates (2009-2013) for Clinton County, only 1.6 % or 1,234 individuals are classified as LEP. The two largest LEP populations in Clinton County speak Spanish (0.54%) or French (0.21%).

The Clinton County Chapter, NYSARC, Inc. serves no large geographic concentration of any LEP individuals. Over 98% of the county population speaks only English or at least speaks English well. The agency currently serves no individuals that utilize any other spoken language other than English as their primary language. If the Clinton County Chapter, NYSARC, Inc. identified an individual with LEP during the intake process, existing bilingual staff could be utilized to provide interpretation to individuals that only speak Spanish or French (the two highest groups of individuals with LEP). Other language translation options or professional interpretation services would be sourced out and made available at no cost to the individual. This would include the translation and printing of documents necessary for service delivery.

The LEP Plan will be monitored and updated as required when more current data is available from the U.S. Census Bureau or the American Community Survey becomes available or if an LEP individual is admitted for services. Information regarding the Title VI Plan and staff responsibilities would be reviewed with staff. Information would include the Title VI Policy and Handling of Title VI / LEP Information Requests or Complaints

## **Public Participation Plan**

The Clinton County Chapter NYSARC, Inc. provides transportation services to individuals who are qualified to receive and enrolled into HCBS Waiver services under the auspice of OPWDD. Transportation is not, in and of itself, an independent service eligible to qualified individuals but rather a component of the waiver service the person is receiving. Eligibility for services is solely based on qualifying medical diagnosis and not subject to discrimination based on minority definitions or limited English proficient individuals. A Public Participation Plan is therefore, not applicable.

# APPENDIX A

## NOTICE TO BENEFICIARIES CIVIL RIGHTS STATEMENT

The Clinton County Chapter, NYSARC, Inc., is committed to operating its programs and services without regard to color, race, national origin or sexual orientation in accordance with the Title VI of the Civil Rights Act of 1964. Any person who believes he or she has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the Clinton County Chapter, NYSARC, Inc.

For more information on the Clinton County Chapter, NYSARC, Inc.'s Civil Rights program and the procedures to file a complaint may contact;

Transportation Department:  
(518) 562-8800 / [dlombard@cviarc.org](mailto:dlombard@cviarc.org)  
Advocacy and Resource Center  
231 New York Road  
Plattsburgh, New York 12903

A complaint also be filed directly with the Federal Transit Administration. This is completed by filing the complaint with the;

Office of Civil Rights  
Attention Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Ave., S.E.  
Washington, DC 20590

If information is needed in another language, contact (518) 562-8800

# APPENDIX B

**Clinton County Chapter, NYSARC, Inc.  
231 New York Road  
Plattsburgh, NY 12903**

## Title VI Complaint of Discrimination Form

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

### Basis of Complaint

Race	<input type="checkbox"/>
Color	<input type="checkbox"/>
Sex	<input type="checkbox"/>
National Origin	<input type="checkbox"/>
Age	<input type="checkbox"/>
Disability (ADA)	<input type="checkbox"/>
Low-Income	<input type="checkbox"/>
Limited English Proficiency	<input type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>

Who allegedly discriminated against you?

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_

If an organization, what is its name?

Name of Organization \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_  
Name of Contact \_\_\_\_\_

How were you discriminated against?

\_\_\_\_\_

\_\_\_\_\_

Where did the alleged discrimination occur?

\_\_\_\_\_

\_\_\_\_\_



**Date/s and times discrimination occurred?**

**First time** \_\_\_\_\_

**Second time** \_\_\_\_\_

**Third time** \_\_\_\_\_

**Were there any other witnesses to the discrimination?**

<b>Name</b>	<b>Title</b>	<b>Work Telephone</b>	<b>Home Telephone</b>

**What can the agency to do to resolve the complaint?**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Have you filed your complaint with anyone else?**

**Who** \_\_\_\_\_

**When** \_\_\_\_\_

**Complaint number, if known** \_\_\_\_\_

**Do you have an Attorney in this matter?**

**Name** \_\_\_\_\_

**Address** \_\_\_\_\_ **City** \_\_\_\_\_ **Zip** \_\_\_\_\_

**When did you acquire** \_\_\_\_\_

**Signed** \_\_\_\_\_ **Date** \_\_\_\_\_

**Mail to:** Title VI Coordinator  
Clinton County Chapter, NYSARC, Inc.  
231 New York Road  
Plattsburgh, New York 12903 or  
Phone (518) 562-8800 Email: [dlombard@cviarc.org](mailto:dlombard@cviarc.org)

# APPENDIX C

**Clinton County Chapter, NYSARC, Inc.  
231 New York Road  
Plattsburgh, NY 12903**

## **Title VI Investigations, Complaints & Lawsuit Log**

*In order to comply with 49 CFR Section 21.9(b), recipients and sub recipients shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or sub recipient that allege discrimination on the basis of race, color, or national origin. Sub recipients awarded Federal grants through NYSDOT must complete this log at the end of each quarter and at the end of each Fiscal Year, providing the requested information. Specified data is required semi-annually, as instructed below. Certain information is required only at the end of the Fiscal Year, as instructed below.*

**TITLE VI OFFICER:** \_\_\_\_\_

**E-MAIL:** \_\_\_\_\_

**CONTACT** \_\_\_\_\_

**FISCAL YEAR FY** \_\_\_\_\_

**REPORTING PERIOD** (check appropriate box):

\_\_\_\_\_ 1<sup>st</sup> Half  
(July-December)

\_\_\_\_\_ 2<sup>nd</sup> Half  
(January-June)

\_\_\_\_\_ Fiscal Year  
(January-December)

1. Were any investigations, lawsuits or complaints filed during this time period? \_\_\_\_\_

2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period:

- Date the investigation, lawsuit or complaint was filed, and
- Summary of the allegation(s) and status if resolved.

3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**

4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**