



Title VI Program Plan

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I. Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Fulmont Community Action Agency Inc. and hereafter company referred to as Fulmont is committed to ensuring that no person is excluded from participation in or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTS) Circular 4702.1.A. This plan was developed to guide Fulmont in its administration and management of Title VI-related activities.

Donna Ward, Title VI Coordinator
Human Resources
20 Park Street, PO Box 835
Fonda, NY 12068
Phone (518) 853-8367

II. Title VI Information Dissemination

Title VI information shall be prominently and publicly displayed on Fulmont's website, (www.Fulmont.org) and at Transportation facility. Additional information relating to non-discrimination obligation can be obtained from the Fulmont Community Action Agency Human Resources Director.

During Department Orientation, new employees shall be informed of the provisions of Title VI and the expectations of Fulmont employees to perform their duties accordingly. All transportation employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgment of Receipt (see Appendix B).

III. Subcontracts and Venders

All subcontractors and venders who receive payments from Fulmont where funding originates from any Federal assistance are subject to provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain records (in accordance with record retention policy), which include, but are not limited to, copies of the Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants and Title VI investigations. The signed acknowledgments of receipts from the employees indicating the receipt of the Fulmont Title VI Plan will be maintained in the employees training records.

V. Title VI Complaint Procedures

How to file a Title VI Complaint

The complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information.

Complainant's name, mailing address, and how to contact them (i.e., telephone number, email address, etc.) How, when, where and why they believe they were discriminated against. Include the location, names and contact information of any witnesses. Other information that they deem significant.

The Title VI Complaint Form (see Appendix C) may be used to submit complaint information. The complaint must be filed in writing with Fulmont at the following Address in order for Fulmont to properly investigate any complaint:

Donna Ward, Title VI Coordinator
Human Resources
20 Park Street, PO Box 835
Fonda, NY 12068
Phone (518) 853-8367

NOTE: Fulmont encourages all complainants to certify any mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked.

What happened to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin of a service or benefit provided by Fulmont Community Action Agency Inc., will be directly addressed by Fulmont for investigation. Fulmont shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Fulmont shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of complaint will be mailed within ten (10) business days (see Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

The Title VI program coordinator will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to

- 1) Provide additional information to Fulmont for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from Fulmont and/or
 - 2) File a complaint externally with the U.S. Department of Transportation.
- Every effort will be made to respond to the Title VI complaints within sixty (60) working days of receipt of such complaints.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor- TCR
1200 New Jersey Ave
SE Washington DC 20590**

VI. Language Assistance Plan (LAP)

FTA Circular 4702.1B was developed by the Federal Transit Administration (FTA) and details the administrative and reporting requirements for recipients of FTA financial assistance to comply with Title VI and related executive orders including on LEP (Limited English Proficiency) persons.

The United States Department of Transportation (DOT) published guidance that directed its recipients to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP customers.

1. Identifying LEP (Limited English Proficiency) Individuals

LEP Individuals are those individuals speaking a language other than English or using sign language that request assistance. Fulmont does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

2. Providing Services

Fulmont does not currently have an on-going need for professional translation Services, through its own, Fulmont will contract with translation services as needed.

3. Communicating Availability of Language Assistance

Fulmont will inform those who request services of the process to provide an independent contractor for translation.

4. Monitoring

Satisfaction Surveys offer an opportunity for individuals served and their care givers to provide input or suggest additional services. To date Fulmont has not had the need to use translation services provided by either in-house staff through outside providers

The Title VI Plan will also be reviewed every three years.

5. Employee Training

As part of the Accessibility Plan, Fulmont encourages staff interest and education in learning to more effectively communicate with individuals served.

VII. Safe Harbor Provision

The federal Transit Authority Circular 4702.1B states

"DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered. Then such action will be considered strong evidence of compliance with the recipient's written translation obligation. Translations of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factors Analysis, that even though a language meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."

VIII. Membership of Non-elected Committees and Councils

Fulmont does not have a non-elected transit related advisory council at this time.

IX. Title VI Equity Analysis

Fulmont does not have transit related facilities.

Appendix A: Employee Annual Education Form Title VI Policy

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of Fulmont are expected to consider, respect, and observe this policy in their daily work and duties. If a participant or family member approaches you with a question or complaint relating to Title VI or discrimination of any kind based on race, color, or national origin, direct him or her to the Fulmont Title VI Coordinator.

In all dealings with anyone in the community, use courtesy titles (i.e. Mrs., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B: Employee Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Fulmont Title VI Plan. I have read the plan and am committed to ensuring that no participant is excluded from or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Administration (FTA) Circular 47002.1.A.

Employee signature

Print name

Date

Appendix C: Public Participation Plan

Fulmont provides services to persons determined eligible. As such, the available services are part of the Fulmont website at www.fulmont.org and Fulmont partners with the Fulton County Office for Aging as the entry point, who is available to meet with potential service recipients to learn more about available services and how to access them. The Fulton County Office for Aging staff will also assist prospective recipients to enroll for eligible services.

Appendix D: Title VI COMPLAINT FORM

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint: (place checkmark)}

- Race
- Color
- Sex
- National Origin
- Age
- Disability

Type of Complaint (place checkmark)

Program Service Benefit Activity

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?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name

Title

Work Phone

Home Phone

Have you filed your complaint with anyone else?

Who _____

When _____

Do you have an Attorney in this matter?

Name _____

Address _____ City _____ Zip _____

When did you acquire _____

Signed _____ Date _____

Mail to: Donna Ward, Title VI Coordinator
Human Resources
PO Box 835, 20 Park Street
Fonda, NY 12068
Phone (518) 853-8367

APPENDIX E: Letter Acknowledging Receipt of Complaint

Date

Name

Address

City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against Fulmont Community Action Agency Inc. alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by contacting our office at (518) 853-8367 or in writing to:

**Donna Ward, Title VI Coordinator
Human Resources
PO Box 835, 20 Park Street
Fonda, NY 12068
Phone (518) 853-8367**

Sincerely,

Donna Ward
Title VI Coordinator

APPENDIX F: Letter Notifying Complainant that the Complaint Is Substantiated

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your letter dated _____ against Fulmont Community Action Agency Inc. alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Donna Ward
Title VI Coordinator

APPENDIX G: Letter Notifying Complaint and that the Complaint Is Not Substantiated

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your complaint dated _____ against Fulmont Community Action Agency Inc. alleging _____ has been investigated. The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

Fulmont has analyzed the materials and facts pertaining to your case of evidence of the Agency's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated. I therefore advise you that your complaint has not been substantiated and that I am closing the matter in our files.

You have the right to 1) provide additional information to this office for reconsideration of your complaint within seven (7) calendar days of receipt of this final written decision from Fulmont and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor- TCR 1200 New Jersey Ave., SE Washington DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Donna Ward
Title VI Coordinator

APPENDIX H: This narrative is available on transport vehicles for all participants to view:

Fulmont Community Action Agency Inc. is committed to ensuring that no person is excluded from participation in, denied the benefits of, or be subjected to discrimination in the receipt of its services on the basis of race, color, or national origin, as protected by Title VI of the Civil Rights Act of 1964.

If you feel you are being denied participation in or being denied benefits of the services provided by Fulmont or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at (518) 853-8367.