

# **Title VI Program Plan**

## **I. Plan 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).

**The Homestead at Soldiers and Sailors Memorial Hospital** ("The Homestead") 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 (FTA) Circular 4702.1.A. This plan was developed to guide The Homestead in its administration and management of Title VI-related activities.

**Title VI Coordinator  
Administration Department  
418 N Main Street  
Penn Yan, NY 14527  
Phone (315) 531-2731**

## **II. Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed and additional information relating to non-discrimination obligation can be obtained from The Homestead Title VI Coordinator.

## **III. Subcontracts and Venders**

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

## **IV. Record Keeping**

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgments of receipts from the employees indicating the receipt of The Homestead Title VI Plan, copies of the Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants and Title VI investigations.

## **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 A) may be used to submit complaint information. The complaint must be filed in writing with The Homestead at the following Address in order for The Homestead to properly investigate any complaint:

**Title VI Coordinator  
Administration Department  
418 N Main Street  
Penn Yan, NY 14527  
Phone (315) 531-2731**

NOTE: The Homestead 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. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than one hundred eighty (180) days from the alleged date of discrimination.

**What happened to the complaint after it is submitted?**

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

A letter acknowledging receipt of complaint will be mailed within seven (7) days (see Appendix A). 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 B or C) to the complainant. In the letter, notifying complainant that the complaint is not substantiated (Appendix D), the complainant is also advised of his or her right to:

- 1) Provide additional information to The Homestead for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from The Homestead, and/or
- 2) File a complaint externally with the NYS Department of Transportation and/or the Federal Transit Administration. 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:

**New York State Department of Transportation  
Office of Diversity and Opportunity Title VI Program  
50 Wolf Rd. 6<sup>th</sup> floor  
Albany, NY 12232**

Or

**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. The Homestead Language Assistance Plan (LAP) includes a four factor analysis and implementation plan that complies with the requirements of the DOT LEP guidance.

**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. The Homestead does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

**2. Providing Services**

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

**3. Communicating Availability of Language Assistance**

The Homestead 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 The Homestead 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, The Homestead 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.*

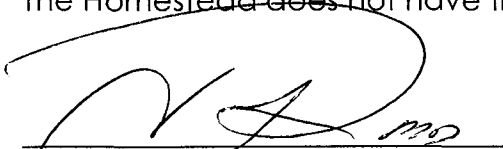
*These safe harbor provision apply to the translation of written documents only. The do not affect the requirement to provide access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factors 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**

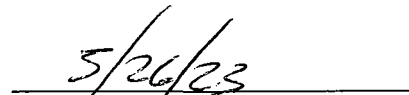
The Homestead does not have a non-elected transit related advisory council at this time.

**IX. Title VI Equity Analysis**

The Homestead does not have transit related facilities.



**Approving Signature**



**Date**

APPENDIX A

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?

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: Title VI Coordinator  
Administration Department  
418 N Main Street  
Penn Yan, NY 14527  
Phone (315) 531-2731

**APPENDIX B: Letter Acknowledging Receipt of Complaint**

Date

Name  
Address  
City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against The Homestead alleging

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An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please contact our office at 418 N. Main Street, Penn Yan, NY 14527.

Sincerely,

Title VI Coordinator

**APPENDIX C: Letter Notifying Complainant that the Complaint Is Substantiated**

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your letter dated \_\_\_\_\_ against The Homestead 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,

Title VI Coordinator



**APPENDIX D: 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 The Homestead 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.

The Homestead has analyzed the materials and facts pertaining to your case of evidence of the Department'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 The Homestead 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,

Title VI Coordinator

**APPENDIX E: Sample of Narrative to be included in Posters to be displayed in Participants Transport Vehicles and Facilities**

The Homestead 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 The Homestead or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at (315) 531-2731.