

**Town of Guilderland Senior Services
141 Bavarian Way
Altamont, NY 12009**

Notifying the Public of Rights under Title VI

Town of Guilderland Senior Services operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.

To obtain additional information about your rights under Title VI, contact:

Guilderland Town Attorney, Title VI Coordinator
Town of Guilderland
5209 Western Turnpike
Altamont, NY 12209
(518) 356-1980
melitaj@togny.org

If you believe you have been discriminated against on the basis of race, color, or national origin by the Town of Guilderland, you may file a Title VI complaint by completing, signing and submitting the agency's Title VI Complaint Form.

How to file a Title VI complaint with the Town of Guilderland:

1. To Obtain a Complaint Form from Town of Guilderland Senior Services, contact the Guilderland Town Attorney, Title VI Coordinator at the above address, phone number or email address.
2. In addition to the complaint process at the Town of Guilderland Senior Services, complaints may be filed directly with the 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
3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.
4. The form must be signed and dated and include your contact information.

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).

Town of Guilderland Senior Services 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 4701.1.A. This plan was developed to guide Town of Guilderland Senior Services in its administration and management of Title VI – related activities.

Guilderland Town Attorney – Title VI Coordinator
Town of Guilderland
P.O. Box 339
Guilderland, NY 12084
(518) 356-1980
melitaj@togny.org

II. **Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed on our website: www.townofguilderland.org and all major facilities. Additional information relating to non-discrimination obligation can be obtained from the Town of Guilderland Senior Services, Title VI Coordinator.

Title VI information shall be disseminated to Town Guilderland Senior Services employees annually via the employee handbook containing the language set forth in (Appendix A) This reminds employees of Town of Guilderland Senior Services about the policy statement and of their Title VI responsibilities in their daily work and duties.

During Department Orientation, new employees shall be informed of the provisions of Title VI and the expectations of Town of Guilderland Senior Services. All transportation employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgment of Receipt (Appendix B).

III. **Subcontracts and Vendors**

All subcontractors and vendors who receive payments from Town of Guilderland Senior Services, 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 permanent records, which include, but are not limited to, signed acknowledgments of receipts from the employees indicating the receipt of the Town of Guilderland Senior Services 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.

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

The Title VI Complaint Form (Appendix C) may be used to submit complaint Information. The complaint must be filed in writing with Town of Guilderland Senior Services at the following Address in order for Town of Guilderland Senior Services to properly investigate any complaint:

Guilderland Town Attorney – Title VI Coordinator
Town of Guilderland
P.O. Box 339
Guilderland, NY 12084
(518) 356-1980
melitaj@togny.org

NOTE: Town of Guilderland Senior Services 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 Town of Guilderland Senior Services. Transportation will be directly addressed by Town of Guilderland Senior Services, for investigation. Town of Guilderland Senior Services shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Town of Guilderland Senior Services 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 (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 (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 Town of Guilderland Senior Services for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from Town of Guilderland Senior Services and/or
- 2) File a complaint externally with the U.S. Department of Transportation and/or the FTA. 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**

**New York State Department of Transportation Office of Civil Rights
50 Wolf Road, 6th Floor Albany, NY 12232
518-457-1129 or Fax: 518-549-1273
OCR-TitleVI@dot.ny.gov**

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. Town of Guilderland Senior Services 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. Town of Guilderland Senior Services, does not currently have any individuals that require any other help other than English, Sign Language or Prompts.
2. **Providing Services**
Town of Guilderland Senior Services does not currently have an on-going need for professional translation Services, through its own, Town of Guilderland Senior Services will contract with translation services as needed.
3. **Communicating Availability of Language Assistance**
Town of Guilderland Senior Services 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 Town of Guilderland Senior Services has not had the need to use translation services provided by either in-house staff or outside providers.

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

5. **Employee Training**
As part of the Accessibility Plan, Town of Guilderland Senior Services 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**

Town of Guilderland Senior Services does not have a non-elected transit related advisory council at this time.

IX. **Title VI Equity Analysis**

Town of Guilderland Senior Services 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 Town of Guilderland Senior Services 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 color, or national origin, direct him or her to Town of Guilderland Town Attorney, Title VI Coordinator

In all dealings with anyone in the community, use courtesy titles (i.e., Mr., 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 Town of Guilderland Senior Services. 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 Name

Employee Signature

Date

Public Participation Plan

Town of Guilderland Senior Services is a closed-door transportation service that receives funding from The Town of Guilderland and ACCESS Transit (subsidiary to COTA). If you live inside the Town of Guilderland, clients call Guilderland Senior Services directly to arrange for rides. If you live outside the Town of Guilderland, you must be registered and make your reservation through ACCESS Transit.

The Town of Guilderland Senior Services mission is to seek out clients that have limited English Proficiency (LEP). Town of Guilderland Senior Services has partnered with organizations such as Refugees & Immigrants Support Services of Emmaus United Methodist Church (RISSE) and U.S. Committee for Refugees and Immigrants (USCRI) to ensure limited English proficiency populations have access to transportation services. Town of Guilderland Senior Services started an English as a Second Language class that provides transportation to those clients. Town of Guilderland Senior Services strives to reach Town of Guilderland residents of low-income, minority, limited English proficiency (LEP) and disabled populations by engaging in the following outreach efforts:

- Working closely with Town of Guilderland Senior Resource Department for referrals.
- Coordination with community, faith-based organizations, disability advocacy organizations, chambers of commerce, educational institutions, senior centers, senior housing facilities, etc.
- Distribution of our monthly newsletter.
- Town of Guilderland.org website.

If there are changes in schedules and/or events, Town of Guilderland Senior Services calls all clients scheduled for transportation that day. The Town of Guilderland Senior Services transportation information is sent to various news outlets so that closure is broadcast on television as well.

Clients are required to update contact information on an annual basis to use our transportation services. After the initial registration is completed, Town of Guilderland staff calls each client to get them updated for the upcoming year.

The Town of Guilderland Senior Services is committed to providing nondiscriminatory service to ensure 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 ("Title VI").

Individuals seeking an accommodation, or who wish to submit a complaint related to ADA compliance, are directed to contact the Director of Transportation at (518) 280-7607. Further information regarding ADA compliance, reasonable accommodation, and complaint procedures can also be obtained by contacting the Town of Guilderland Human Resources Department at (518) 356-1980.

Shall be translated into languages other than English, as needed.

Appendix D: Title VI or ADA 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 of the discrimination that 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:

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 Town of Guilderland Senior Services Transportation Department 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 th i s office by contacting our office at 518-356-1980 or in writing to Town of Guilderland PO Box 339 Guilderland, NY 12084

Sincerely,

James P. Melita – Guilderland Town Attorney

Title VI Coordinator

APPENDIX F: Letter Notifying Complainant that the Complaint Is Substantiated

Date

Name

Address

City, State Zip Dear

Name:

The matter referenced your letter dated _____ against Town of Guilderland Senior Services Transportation 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 G: Letter Notifying Complaint and that the Complaint Is Not Substantiated

Date

Name

Address

City, State Zip Dear

Name:

The matter referenced in complaint dated _____ against the Town of
Guilderland Senior Services Transportation 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.

Town of Guilderland Senior Services Transportation 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 from Town of
Guilderland Senior Services 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 H: Sample of Narrative to be included in Posters to be displayed in Participants Transport Vehicles and Facilities

Town of Guilderland Senior Services 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 Town of Guilderland Senior Services or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at: (518) 356-1980.

Appendix I: NYSDOT Public Transportation Programs Title VI Investigations, Complaints & Lawsuits Log

Agency: Town of Guilderland

TITLE VI OFFICER: Guilderland Town Attorney

E-MAIL: melitaj@togny.org

CONTACT: (518) 356-1980

FISCAL YEAR FY:

REPORTING PERIOD (check appropriate box):

1st Half
(July-December)

2nd Half
(January-June)

Complete Fiscal Year
(July-June)

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, lawsuit/complaint filed, summary of allegations, status of complaint:
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 subrecipient in response to the investigation, lawsuit, or complaint. **(Report on separate paper at the end of the Fiscal Year).**

Letter Acknowledging Receipt of Complaint

Date

Name

Address

City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against Town of Guilderland Senior Services Transportation Department 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 518-356-1980 or in writing to Town of Guilderland Senior Services PO Box 339 Guilderland, NY 12084.

Sincerely,

Title VI Coordinator

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 Town of Guilderland Senior Services Transportation 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.

Town of Guilderland Senior Services Transportation 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 from Town of Guilderland Senior Services. 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

NYSDOT Public Transportation Programs

Title VI Investigations, Complaints & Lawsuits Log

AGENCY: Town of Guilderland

TITLE VI OFFICER: Guilderland Town Attorney

E-MAIL: melitaj@togny.org

CONTACT: (518) 356-1980

FISCAL YEAR FY:

REPORTING PERIOD (check appropriate box):

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(July-December)

2nd Half
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Town of Guilderland Senior Services

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

Employee Acknowledgement of Receipt of Title VI Plan

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Employee Name

Employee Signature

Date

