

The Arc Rockland PROCEDURE

SUBJECT: Title VI of the Civil Rights Act

APPLICABILITY: Agency-wide
APPROVED: September 2018
REFERENCE POLICY # 2018-18

Revised: June 2021
Page 1 of 9

Procedure:

Title VI Plan Elements

The Arc Rockland's Title VI plan includes the following elements:

1. Evidence of Policy Approval
2. Notice to the Public
3. Complaint Procedure
4. Complaint Form (attachment A)
5. List of transit related Title VI Investigations, Complaints and Lawsuits (attachment B)
6. Public Participation Plan
7. Language Assistance Plan
8. Minority Representation Information

Note: Spanish versions of key materials (Notice to the Public, Complaint Procedure, and Complaint Form will be available upon request.)

Policy Updates

The Arc Rockland will review its policy at least once every three years to determine if modifications are necessary. The Arc Rockland directly operates all services and will review implementation annually to ensure compliance with Title VI plan requirements. Approvals, reviews and updates are noted on the Policy and Procedure documents themselves.

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Title VI Notice to the Public

The Arc Rockland's Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

The Arc Rockland

- ✓ The Arc Rockland operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with The Arc Rockland. For more information on The Arc Rockland's civil rights program, and the procedures to file a complaint, contact William Marlowe at (845)-267-2500 ext. 3127; email; WMarlowe@Rocklandarc.org or visit our office at The Arc Rockland, 25 Hemlock Drive, Congers, NY, 10920. For more information on how to contact The Arc Rockland to find out about civil rights, visit our website at www.arcofrockland.org
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact 866-946-9733
Si se necesita informacion en otro idioma de contacto, 866-946-9733

The Arc Rockland's Notice to the Public is posted in the following locations:

- ❖ Agency website
- ❖ Public areas of the agency office: front and rear reception areas and staff lounge.

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Title VI and ADA Complaint Procedure

The Arc Rockland's Title VI and American's with Disabilities (ADA) Complaint Procedure is made available in the following locations:

- ❖ Agency website
- ❖ Hard copy with The Arc Rockland Corporate Compliance Officer

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by The Arc Rockland may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (attachment A). The Arc Rockland will make reasonable accommodations and take information verbally if the complainant requires this accommodation.

The Arc Rockland investigates complaints received no more than 180 days after the alleged incident. The Arc Rockland will process complaints that are complete.

Once the complaint is received, The Arc Rockland will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Arc Rockland has 60 days to investigate the complaint. If more information is needed to resolve the case, The Arc Rockland may contact the complainant.

The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the case can be administratively closed. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizing the allegations and states that there was not a Title VI violation and that the case will be closed.

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- ✓ A letter of finding (LOF) summarizing the allegations and the interviews regarding the alleged incident, and explaining whether any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, she/he has 21 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact 866-946-9733
Si se necesita informacion en otro idioma de contacto, 866-946-9733

List of Transit Related Title VI Investigations, Complaints and Lawsuits

The Arc Rockland maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities. The Corporate Compliance Officer will maintain records. (Attachment B)

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Language Assistance Plan

Plan Components

As a recipient of federal US DOT funding, The Arc Rockland takes reasonable steps to ensure meaningful access to our programs and activities by Limited English proficient (LEP) persons. Limited English Proficient (LEP) refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English.

The Arc Rockland has a language service for assistance in translations and the agency takes the following elements into account:

#1: LEP Four Factors

To determine if an individual is entitled to language assistance and what specific services are appropriate, The Arc Rockland has conducted a review of the following *Four Factors* 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

Factor 1 – Demography

This task identifies the number and proportion of LEP persons served and the languages spoken by the Individuals provided services by The Arc Rockland. Individuals served by The Arc Rockland include people who have developmental disabilities, certified by the New York Office for People with Developmental Disabilities (OPWDD) as eligible for services. The Arc Rockland annually identifies the language capabilities and language assistance needs of individuals we provide services to and, as needed, their family/guardians. This listing of Individuals served is maintained in the Title VI files and will be reviewed/updated as needed.

The Arc Rockland next looked at the largest language groups. The majority of our individuals speak English, use sign language or communication boards to communicate. Most parents and guardians speak English as well. Our agency emphasizes communication with all Individuals. Communication is important to provide for Individuals dignity and for effective treatment plans or activities.

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Factor 2: Frequency

The Arc Rockland staff rarely comes into contact with LEP persons who speak a language other than English. The Arc Rockland will sometime encounters non-English speaking parents or guardians and has the availability of a language translation service via telephone if needed.

Factor 3: Importance

The Arc Rockland program and services are critical to the lives of individuals serviced, enabling them to participate as fully as possible in the community, interact and socialize with others, and gain skills in daily living.

Factor 4: Resources and Costs

The Arc Rockland trains staff on Title VI and language assistance principles as part of its initial training (upon hire). At this point, no additional training costs are incurred.

#2. How Language Assistance Services Are Provided

If an Individual is accepted into our program and English is not the primary language spoken by their parents/guardians a qualified interpreter will be provided at no cost to the family in order to communicate client intake information, including Civil Rights information and procedures. If needed, key Title VI documents will be translated.

#3. How LEP Persons Are Informed of the Availability of Language Assistance

OPWDD is the agency that determines Individuals who might be eligible for The Arc Rockland services. OPWDD would determine if language assistance is needed and arranging for notifying the parent or guardian and our agency of the available language assistance services so arrangements could be made by our agency.

#4. How the Language Assistance Plan is Updated

Every three years when the Title VI plan is updated, The Arc Rockland will review and update the language assistance plan as needed.

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#5. How Employees are trained to Provide Language Assistance

The Arc Rockland employees are oriented on the principles of Title VI and language assistance. New employees will be provided guidance on the needs of Individuals served and how best to meet their needs.

If an employee needs further assistance related to LEP individuals, her/she will work with The Arc Rockland to identify strategies to meet the language needs of the participants of the program or service.

Minority Representation Information

A. Minority Representation Table

The Arc Rockland has no non-elected committees/councils related to transit.

B. Efforts to Encourage Minority Participation

The Arc Rockland understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, The Arc Rockland encourages participation of all its residents in boards or councils.

As vacancies on boards, committees and councils become available, The Arc Rockland will make efforts to encourage and promote diversity with active participation of its residents and their families or guardians.

Service/Fare Equity Analysis

The Arc Rockland does not charge fares specifically for transportation services however the cost of transportation is included in some of the services provided to Individuals as per OPWDD. .

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THIS PROCEDURE HAS BEEN REVIEWED AND APPROVED BY:



The Arc Rockland
Chief Executive Officer

Jun 21, 2021

DATE



William Marlowe (Jun 21, 2021 10:54 EDT)

The Arc Rockland
Chief Administrative Officer

Jun 21, 2021

DATE



Jane Zemon (Jun 21, 2021 10:59 EDT)

The Arc Rockland
Chief Program Officer

Jun 21, 2021

DATE



Deborah Carr (Jun 21, 2021 11:30 EDT)

The Arc Rockland
Chief Human Resources Officer

Jun 21, 2021

DATE



Ganeene OBrien (Jun 21, 2021 15:24 EDT)

The Arc Rockland
Chief Financial Officer

Jun 21, 2021

DATE



Amanda Rick (Jun 21, 2021 12:15 EDT)

The Arc Rockland
Corporate Compliance Officer
Managing Director of Quality Improvement

Jun 21, 2021

DATE



Attachment A

Title VI and ADA Complaint Form

The Arc Rockland's Title VI and American's with Disabilities (ADA) Complaint Procedure is made available in the following locations:

- ❖ Agency website
- ❖ Hard copy in the central office

If information is needed in another language, contact 866-946-9733.
Si se necesita informacion en otro idioma de contacto, 866-946-9733

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Disability				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please attach additional pages.				

Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

Federal Agency: _____

Federal Court _____

State Court _____

State Agency _____

Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI

Name of Agency complaint is against:

Contact person:

Title:

Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Please submit this form in person or mail this form to the address below

The Arc Rockland
William Marlowe
Chief Administrative Officer
25 Hemlock Drive
Congers, NY 10920



Attachment B

List of Transit Related Title VI Investigations, Complaints and Lawsuits

The Arc Rockland maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities.

Check One:

There have been no investigations, complaint and/or lawsuits filed against us during the report period.

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Complaints				
1.				
2.				
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				



CIVIL RIGHTS STATEMENT

The Arc Rockland is committed to providing non-discriminatory service to ensure that no person is excluded from participation in, denied the benefits of, or be subjected to discrimination in the receipt of services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964 ("Title VI").

To request additional information about Title VI, or if you believe you were subject to discrimination and would like to submit a written complaint, you may contact:

William Marlowe
Chief Administrative Officer
The Arc Rockland
25 Hemlock Drive
Congers, NY 10920
wmarlowe@rocklandarc.org
845.267.2500 ext. 3127

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For more information on The Arc Rockland's civil rights program, and the procedures to file a complaint, contact William Marlowe at (845)267-2500 ext. 3127; email; wmarlowe@rocklandarc.org or visit our office at The Arc Rockland, 25 Hemlock Drive, Congers, NY, 10920. For more information on how to contact The Arc Rockland to find out about civil rights, visit our website at Arc Of Rockland.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 11200 New Jersey Avenue., Washington, DC 20590.

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Title VI of the Civil Rights Act Procedure Revised June 2021


Final Audit Report


2021-06-21


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-  Document emailed to William Marlowe (wmarlowe@rocklandarc.org) for signature
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