

CDS Monarch Inc.  
860 Hard Rd  
Webster, NY 14580

# Title VI Plan Transportation Services

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### **Policy Statement**

CDS Monarch 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. CDS Monarch 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.

### **Purpose**

This plan identifies the Title VI program for Transportation Services provided by CDS Monarch.

### **Additional information**

Individuals who would like more information concerning this plan may contact:

CDS Monarch  
Transportation Department – Title VI Coordinator  
860 Hard Rd.  
Webster NY, 14580

### **Complaint Procedures**

Individuals or families receiving transportation services from CDS Monarch that believe they have been subject of discrimination on the grounds of race, color, national origin or sexual orientation may 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 notice shall be posted at the main program site: CDS Monarch Transportation Department, 860 Hard Rd. Webster NY, 14580 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**

CDS Monarch has designated the Senior Transportation Manager as the Title VI Coordinator for Transportation Services responsible for initiating, monitoring and insuring the agency's compliance with the applicable Title VI requirements related to;

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

### **Notification of Beneficiaries**

Under Title VI CDS Monarch Transportation Service 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 will provide this information by posting the Title VI policy notice on the agency's website, posting at the main transportation program site and posting on the transportation department's buses.

### **Title VI Complaint Procedures**

In compliance with the Title VI regulations, CDS Monarch 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 Complaint Form. To initiate a complaint of alleged discrimination a Complaint Form must be completed and submitted. A copy of the Complaint Form is attached as Appendix B of this document and is also available on the agency's website [www.cdsmonarch.org](http://www.cdsmonarch.org). The fully completed Complaint Form must be mailed or delivered to:

CDS Monarch Attn. Transportation Department Title VI Coordinator, 860 Hard Rd. Webster, NY 14580. Complaints of incidents that allegedly occurred within 180 days from the receipt of the complaint will be reviewed.

2. Upon receipt, the Complaint 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; CDS Monarch Attn: Transportation Department, 860 Hard Rd. Webster, NY 14580.

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.

CDS Monarch will retain a Complaint Log (Appendix C) of all Title VI Investigations, Complaints and Lawsuits. Information to be maintained will include; Date of Complaint, Summary of the Allegation(s), Investigation Summary, Findings of the Investigation and Action taken. 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**

CDS Monarch will maintain 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 CDS Monarch 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. CDS Monarch Inc. has instituted steps to provide services to individuals with limited English proficiencies.

Based on data in the American Community Survey 5 – Year Estimates (2012-2016) for Monroe County, only 5% of individuals are classified as LEP. The two largest LEP populations in Monroe County speak Spanish (5.6%) or other Indo-European language (4.2%).

CDS Monarch Inc. serves no large geographic concentration of any LEP individuals. Over 94% of the county population speaks only English or at least speaks English well. Currently, the agency does not serve individuals that utilize any other spoken language other than English as their primary language. If CDS Monarch 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 other Indo-European language (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**

CDS Monarch provides transportation services to individuals who are qualified to receive and are enrolled into HCBS Waiver services under the auspice of the Office for People With Developmental Disabilities (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 CDS Monarch 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 CDS Monarch Inc.

For more information on the CDS Monarch Inc.'s Civil Rights program and the procedures to file a complaint may contact;

Transportation Department:  
(585) 208-1444 [Brian.Wagner@cdsmonarch.org](mailto:Brian.Wagner@cdsmonarch.org)  
CDS Monarch Inc.  
860 Hard Rd.  
Webster, New York 14580

A complaint may 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, 5th Floor-TCR  
 1200 New Jersey Ave., S.E.  
 Washington, DC 20590

If information is needed in another language, contact (585) 347-1613.

**APPENDIX B**

**TITLE VI COMPLAINT FORM**

CDS Monarch Inc.  
 860 Hard Road  
 Webster, NY 14580

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
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
<b>Section III:</b>				

I believe the discrimination I experienced was based on (check all that apply):

Race                       Color                       National Origin

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 use the back of this form.

**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 Agency \_\_\_\_\_

State Court \_\_\_\_\_  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 at the address below, or mail this form to:

Transportation Department:  
(585) 208-1444 / Brian.Wagner@cdsmonarch.org  
CDS Monarch Inc.  
860 Hard Rd.  
Webster, New York 14580

**APPENDIX C**  
**CDS Monarch Inc.**  
**860 Hard Rd.**  
**Webster, NY 14580**

**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):

\_\_\_\_ 1ST Half                      \_\_\_\_ 2nd Half                      \_\_\_\_ Fiscal Year  
(July-December)                      (January-June)                      (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).**