

Arc GLOW Title VI Plan

3/21/2022

Prepared by: John Prospero, Vice President of Transportation

Non-Discrimination Policy Statement:

It is the policy of Arc GLOW that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of Arc GLOW as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of Arc GLOW, including its contractors and anyone who acts on behalf of Arc GLOW. This policy also applies to the operations of any department or agency to which Arc GLOW extends federal financial assistance. Federal financial assistance includes grants, training, and use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

Organization, Staffing, and Structure:

The Chief Executive Director (CEO) is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

The Arc GLOW has selected the position of Vice-President of Corporate Compliance to perform the duties of the Title VI Coordinator and ensure implementation of agency's Title VI program.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf in conjunction with the Director of Transportation
- Developing procedures for the prompt processing and disposition of complaints
- Investigating complaints, compiling a complaint log, and reporting to NYDOT
- Developing procedures for the collection and analysis of statistical data
- Developing a program to conduct Title VI reviews of program areas
- Conducting annual Title VI assessments of pertinent program areas
- Developing Title VI information for dissemination
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary

Vice-President of Corporate Compliance

Patricia Kepner

18 Main Street, Mount Morris, NY 14510

Phone: 585-658-2828

Extension: 1153

E-Mail: pkepner@arcglow.org

Notice to the Public and Posting

The Arc GLOW Title VI plan is posted on the agency web site (www.arcglow.org/transportation/TitleVI). The plan is also posted in the Transportation Center. In addition, all agency buses have the following Title VI statement displayed at the front of the bus:

Arc GLOW 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 its services on the basis of race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, or genetic predisposition 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 the agency's Confidential Corporate Compliance Hotline at the following number:

585-658-2023

Title VI Complaint Procedures:

Discrimination Complaint Procedure for Arc GLOW Arc GLOW:

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any Arc GLOW program or activity. This prohibition applies to all branches of Arc GLOW its contractors, consultants, and anyone else who acts on behalf of Arc GLOW

Federal law requires that Arc GLOW investigate, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact:

Vice-President of Corporate Compliance
Patricia Kepner
18 Main Street, Mount Morris, NY 14510
Phone: 585-658-2828
Extension: 1153
E-Mail: pkepner@arcglow.org

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Arc GLOW program or activity because of their race, color, national origin, age, sex, or disability may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact the Corporate Compliance Officer if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the Corporate Compliance Officer.

Complaints may be submitted via mail, email, fax, or in person to:

Vice-President of Corporate Compliance
Patricia Kepner
18 Main Street, Mount Morris, NY 14510
Phone: 585-658-2023 (confidential Corporate Compliance Hotline)
E-Mail: pkepner@arcglow.org
Complaints may also be filed directly with the following agencies:

New York State Department of Transportation
Office of Civil Rights
Attn: Director
New York State Department of Transportation
50 Wolf Road
Albany, NY 12232
Phone: (518) 457-1129
Fax: 5185491273@fax.ny.gov
Email: OCR-TitleVI@dot.ny.gov

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

What happens after a complaint is filed?

Title VI complaints must be investigated within sixty days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, complaints will be forwarded to either the New York State Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Notice of Rights:

Arc GLOW complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. Arc GLOW does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

Arc GLOW provides free aids and services to people with disabilities to communicate effectively with us, such as:

- Qualified sign language interpreters
- Written information in other formats (large print, audio, accessible electronic formats, etc.)
- Provides free language services to people whose primary language is not English, including qualified interpreters and information written in other languages

If you need these services, contact Patricia Kepner, Vice President of Corporate Compliance, 585-658-2828 or pkepner@arcglow.org

If you believe that Arc GLOW has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with Chief Executive Officer, 18 Main Street, Mount Morris, NY 14510, 585-658-2828, 585-658-4624(fax), or email at compliance@arcglow.org. You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, the agency Chief Executive Director is available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue SW., Room 509F, HHH Building, Washington, DC 20201, 1-800-368-1019, 800-537-7697 (TDD). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>.

Where did the discrimination occur?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
Status (pending, resolved, etc.) _____ Result, if known _____
Complaint number, if known _____

Do you have an attorney in this matter?

Name _____ Phone _____
Address _____ City _____ Zip _____

Signed _____ Date _____