



Title VI Plan



TABLE OF CONTENTS

- I. Plan Statement**
- II. Title VI Information Dissemination**
- III. Subcontracts and Vendors**
- IV. Record Keeping**
- V. Title VI Complaint Procedures**
- VI. Language Assistance Plan (LAP)**
- VII. Safe Harbor Provision**
- VIII. Membership of Non-Elected Committees and Councils**
- IX. Title VI Equity Analysis**
- X. Title VI Investigations, Complaints & Lawsuits Log**
- XI. Public Participation Plan
Notice to the Public**

Appendix A: Employee Annual Education Form and Acknowledgement of Receipt of the Title VI Plan

Appendix B: Title VI & ADA Complaint Form

Appendix C: Letter Acknowledging Receipt of Complaint

Appendix D: Letter Notifying Complainant that the Complaint is Substantiated

Appendix E: Letter Notifying Complainant that the Complaint is Not Substantiated



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, sex, age or disability 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).

Head Injury Association 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, sex, age or disability as protected by Title VI in Federal Transit Administration (FTS) Circular 4702.1.A. This plan was developed to guide Head Injury Association in its administration and management of Title VI-related activities.

Valerie Schaefer, Title VI Coordinator
Human Resources Department
The Head Injury Association
300 Kennedy Drive
Hauppauge, NY 11788
Phone (631) 543-2245

II. Title VI Information Dissemination

The Head Injury Association's Title VI Notice to the Public is posted inside vehicles and in the employee lounge at 300 Kennedy Drive, Hauppauge, NY 11788. Additional information relating to non-discrimination obligation can be obtained from the Head Injury Association's Title VI Coordinator.

Title VI information shall be disseminated to The Head Injury Association employees annually via the employee handbook containing the language set forth in Appendix A. This reminds employees of The Head Injury Association 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 the Head Injury Association employees to perform their duties accordingly. All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgment of Receipt (see Appendix A).

III. Subcontracts and Venders

All subcontractors and venders who receive payments from The Head Injury Association 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 Head Injury Association's 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 B) may be used to submit complaint Information. The complaint must be filed in writing with Head Injury Association at the following Address in order for The Head Injury Association to properly investigate any complaint:

**Jennifer Daley Title VI Coordinator
Human Resources Department
The Head Injury Association
300 Kennedy Drive
Hauppauge, NY 11788
Phone (631) 543-2245**

NOTE: The Head Injury Association 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, sex, national origin, age or disability in a service or benefit provided by the Head Injury Association Transportation will be directly addressed by the Head Injury Association for investigation. The Head Injury Association 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 Head Injury Association 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 C). 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 D) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix E), the complainant is also advised of his or her right to

1) Provide additional information to The Head Injury Association for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from The Head Injury Association 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**

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. If necessary, The Head Injury Association's Language Assistance Plan (LAP) would utilize 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 Head Injury Association does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

2. Providing Services

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

3. Communicating Availability of Language Assistance

The Head Injury Association 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 Head Injury Association 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 Head Injury Association 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 provisions apply to the translation of written documents only. They 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 Head Injury Association does not have a non-elected transit related advisory council at this time.

IX. Title VI Equity Analysis

The Head Injury Association does not have transit related facilities.

X. NYSDOT Public Transportation Programs Title VI Investigations, Complaints & Lawsuits Log

AGENCY: The Head Injury Association.

TITLE VI OFFICER: Jennifer Daley

E-MAIL: jdaley@headinjuryassoc.org

CONTACT: (631)543-2245

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 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).**

XI. Public Participation Plan

Strategies and Desired Outcomes:

The Head Injury Association serves developmentally disabled adults who reside in our group homes and/or attend our programs. The Head Injury Association serves all program participants without regard to race, color, gender, age, religion (creed), national origin, sexual orientation or marital status.

The Head Injury Association receives feedback from our clients and caregivers regarding transportation services to ensure the service meets the needs of individuals served. We maintain an open-door policy should any problems arise.

The Head Injury Association does not conduct public outreach as only our program participants are eligible to access the transportation services. The Head Injury Association practices consumer participation and uses feedback to determine if additional or different strategies are needed to promote inclusive participation. No changes to improve consumer participation have been received, but any that are will guide the improvement of The Head Injury Association's transportation service.



**300 Kennedy Drive
Hauppauge, NY 11788**

Notifying the Public of Rights under Title VI

The Head Injury Association 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 Jennifer Daley, Title VI Coordinator at The Head Injury Association. Phone (631)543-2245 ext. 8728 or email jdaley@headinjuryassoc.org.

If you believe you have been discriminated against on the basis of race, color, or national origin by The Head Injury Association, 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 Head Injury Association:

1. To obtain a Complaint Form from The Head Injury Association, contact Jennifer Daley, Title IV Coordinator at The Head Injury Association 300 Kennedy Drive, Hauppauge, NY 11788. Phone (631)543-2245 ext. 8728 or email jdaley@headinjuryassoc.org.
2. In addition to the complaint process at The Head Injury Association, complaints may be filed directly with the Federal Transit Administration, Office of Civil Rights, Region VII, 901 Locust Street, Suite 404, Kansas City, MO 64106
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.

If information is needed in another language, contact (631)543-2245.

Si se necesita informacion en otro idioma de contacto, (631)543-2245.

Employee Annual Education Form and Acknowledgement of Receipt of the Title VI Plan

I hereby acknowledge the receipt of Head Injury Association's 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, gender, national origin, age, marital status, sexual orientation, religion/creed or disability as protected by Title VI in Federal Administration (FTA) Circular 47002.1.A.

I hereby acknowledge that no person shall, on the grounds of race, color, gender, marital status, sexual orientation, national origin, age, religion/creed or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

I hereby acknowledge that as a Head Injury Association employee, I am expected to consider, respect, and observe this policy in my daily work and duties. I acknowledge that in all dealings with anyone in the community, I will use courtesy titles (i.e. Mrs., Mrs., Ms., or Miss) to address them without regard race, color, gender, national origin, age, marital status, sexual orientation, religion/creed or disability,

If an individual or family member approaches me with a question or complaint relating to Title VI or discrimination of any kind based on race, color, gender, national origin, age, marital status, sexual orientation, religion/creed or disability, I am to direct him or her to The Head Injury Association Director of Human Resources who is the Title VI Coordinator.

Employee signature

Print name

Date



Title VI & ADA COMPLAINT FORM If Information is needed in another language, contact
Human Resources at 631-543-2245

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint: (place checkmark)

_____ Race	_____ Religion/Creed
_____ Color	_____ Marital Status
_____ Gender	_____ Sexual Orientation
_____ 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?

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 Code _____

When did you acquire _____

Signed _____ Date _____

Mail to:

Jennifer Daley,
Title VI Coordinator
Human Resources Department
The Head Injury Association
300 Kennedy Drive
Hauppauge, NY 11788
Phone (631) 543-2245



Letter Acknowledging Receipt of Complaint

Date

Name

Address

City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against The Head Injury Association 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 (631) 543-2245 or in writing to The Head Injury Association, 300 Kennedy Drive, Hauppauge, NY 11788.

Sincerely,

Jennifer Daley
Title VI Coordinator



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 Head Injury Association 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,

Jennifer Daley
Title VI Coordinator



Letter Notifying Complainant that the Complaint Is Not Substantiated

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your complaint dated _____ against the Head Injury Association 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, gender, age, religion/creed, marital status, sexual orientation or national origin in any program receiving federal financial assistance.

The Head Injury Association 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 The Head Injury Association 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,

Jennifer Daley
Title VI Coordinator