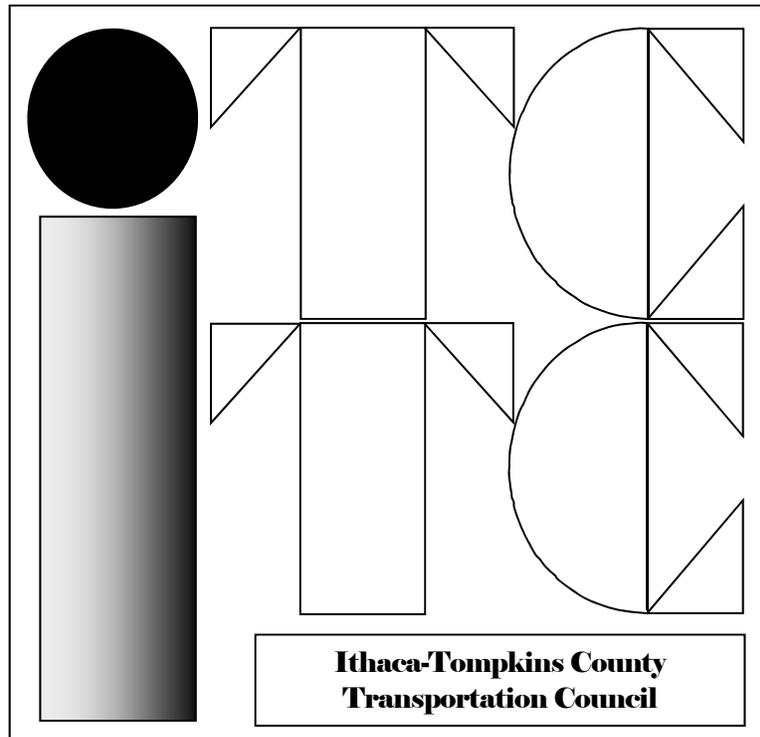

Civil Rights/Title VI Implementation Plan



**Ithaca-Tompkins County
Transportation Council**

Approved: May 17, 2016

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Civil Rights (Title VI) Policy Statement

The Ithaca-Tompkins County Transportation Council (ITCTC) assures that its operations are in full compliance with Title VI of the Civil Rights Act of 1964, the Restoration Act of 1987, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. Title VI states that “no person shall on the grounds of race, color, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination” under any ITCTC sponsored program or activity, regardless of funding source

The ITCTC also assures that every effort is made to prevent discrimination through the impacts of its programs, policies, and activities on populations of color and low-income populations. Furthermore, the ITCTC takes reasonable steps to provide meaningful access to services for persons with limited English proficiency.

The ITCTC Staff Director has the responsibility to act as the Civil Rights (Title VI) Coordinator, who has authority to oversee and implement FTA Title VI requirements.



Kate Supron, Chair ITCTC Policy Committee

5-18-16

Date

Civil Rights (Title VI) Notice to the Public

(Note: to be translated into Chinese, Spanish, Korean, French and Japanese)

Your Civil Rights Under Title VI Ithaca-Tompkins County Transportation Council

The Ithaca-Tompkins County Transportation Council (and their subcontractors, if any) operates its programs and services without regard to race, color, national origin, or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). If you believe you have been aggrieved by any unlawful discriminatory practice under Title VI, you may file a complaint with the Ithaca-Tompkins County Transportation Council.

For more information on the Ithaca-Tompkins County Transportation Council's civil rights plan and how to file a complaint, contact Fernando de Aragón; phone 607-274-5570; e-mail fdearagon@tompkins-co.org; or by appointment at the Ithaca-Tompkins County Transportation Council office at 121 E. Court Street, Ithaca NY 14850 (Mon.-Fri. 9:00am-4:00pm). For more information, visit www.tompkinscountyny.gov/itctc/civilrights.

You may also file a complaint directly with the Tompkins County Office of Human Rights, 120 W. Martin Luther King/State St., Ithaca, NY, 14850 (Office Hours: Monday-Friday 8:30am-4:30pm), phone (607) 277-4080; or 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.

For information in another language, contact the Ithaca-Tompkins County Transportation Council at 607-272-5570 or e-mail Fernando de Aragón, ITCTC Title VI coordinator at fdearagon@tompkins-co.org or at 121 E. Court St., Ithaca, NY 14850 (Mon.-Fri. 9:00am-4:00pm) and state the desired language.

The above notice is posted in the following locations:

- Online at www.tompkinscountyny.gov/itctc/
- In the Ithaca-Tompkins County Transportation Council's Unified Planning Work Program and the agency's Unified Operations Plan.
- In the entry of the Ithaca-Tompkins County Transportation Council office at 121 E. Court Street, Ithaca, NY 14850
- At ITCTC meeting locations.

Title VI/Discrimination Complaint Procedure

(Note: to be translated into Chinese)

These procedures are for all civil rights complaints (for example under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA)) against the Ithaca-Tompkins County Transportation Council about our programs and services.

It is illegal for the Ithaca-Tompkins County Transportation Council to intimidate or retaliate against you for filing a formal complaint against the ITCTC. You can also make a formal complaint with the New York State Department of Transportation or with the Federal Transit Administration or talk to a lawyer about alleged discrimination. The Ithaca-Tompkins County Transportation Council makes every effort to resolve every complaint as quickly and smoothly as possible and at the lowest administrative level.

- (1) If you believe you have been discriminated against because of race, color, national origin, limited English proficiency (LEP), or disability, you may file a civil rights complaint with the Ithaca-Tompkins County Transportation Council using our Civil Rights Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination, or the date when you found out about it, or for an ongoing issue, the date when it ended or the last time it occurred.
- (3) A formal complaint must be in writing, must include your name and address and you or your designee must sign it. You can submit a formal complaint in person, by postal mail, by fax, or by e-mail to Fernando de Aragón, ITCTC Title VI coordinator, at fdearagon@tompkins-co.org or at 121 E. Court St., Ithaca, NY 14850 (Mon.-Fri. 9:00am-4:00pm) and state the desired language. If you need help writing down the complaint, Ithaca-Tompkins County Transportation Council staff will help you. A copy of the ITCTC Title VI/Discrimination Complaint form can be found online at: www.tompkinscountyny.gov/itctcg/civilrights
- (4) Complaints made over the telephone will be written down. The written complaint will be given back to you for you to review. You must sign and return it to the Ithaca-Tompkins County Transportation Council before it becomes a formal complaint. The ITCTC office telephone number is 607-274-5570.
- (5) The Ithaca-Tompkins County Transportation Council will review all formal complaints to be sure they are about Ithaca-Tompkins County Transportation Council's programs or services. You will be sent an acknowledgement letter saying whether the complaint will be investigated by the Ithaca-Tompkins County Transportation Council or submitted to the County or Federal authority for guidance.
- (6) The Ithaca-Tompkins County Transportation Council will call the Tompkins County Office of Human Rights at (607) 277-4080 within 72 hours of receiving a formal complaint.
- (7) The Ithaca-Tompkins County Transportation Council has 45 days to investigate a formal complaint. If we need more information, we may contact you. You then have 45 days to send us the information we request. If we do not get a response in this time, the Ithaca-Tompkins County Transportation Council's Civil Rights Coordinator can close the case. We can also close a case if you provide a signed written notice to tell us you no longer wish to pursue the case.
- (8) After we review the formal complaint, we will send you a letter. It will be either a closure letter or a letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI discrimination violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews about them, and explains if any disciplinary action, additional staff

training, or other action will happen. If you want to appeal the decision, you can do that within 45 days after the date of the closure letter or the letter of finding.

- (9) If you are not satisfied with the Ithaca-Tompkins County Transportation Council's decision, you may complain directly to the Tompkins County Office of Human Rights, 120 W. Martin Luther King/State St., Ithaca, NY, 14850; phone (607) 277-4080, or the Federal Transit Administration at the Office of Civil Rights: Attention Title VI Program Coordinator, East Building 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC 20590.
- (10) A copy of these procedures along with the Title VI/Discrimination Complaint form can be found online at: www.tompkinscountyny.gov/itctc/civilrights.

(Note: last paragraph to be translated into Spanish, French, Chinese, Korean and Japanese)

Title VI/Discrimination Complaint Form

(Note: to be translated into Chinese)

For help with this form in another language, contact the Ithaca-Tompkins County Transportation Council and state the language. Contact information is included at the end of the form. (Note: this statement to be translated into Spanish, French, Chinese, Korean and Japanese)

YOUR NAME AND CONTACT INFORMATION		
Name:		
Address:		
Telephone:		
E-mail Address:		
Do you need an Accessible Format?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other

IS THIS FOR YOU OR SOMEONE ELSE?		
Are you complaining for yourself?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not, who are you complaining for and what is their relationship to you?		
Tell us why you are helping:		
Do you have their permission to file this complaint?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

WHAT HAPPENED?												
<p>I believe the discrimination I experienced was based on (check all that apply):</p> <table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;"><input type="checkbox"/> Race</td> <td style="padding: 2px;"><input type="checkbox"/> Color</td> <td style="padding: 2px;"><input type="checkbox"/> National Origin</td> <td style="padding: 2px;"><input type="checkbox"/> Disability</td> </tr> <tr> <td style="padding: 2px;"><input type="checkbox"/> Age</td> <td style="padding: 2px;"><input type="checkbox"/> Sex (gender)</td> <td colspan="2" style="padding: 2px;"><input type="checkbox"/> Limited English Proficiency (LEP)</td> </tr> <tr> <td colspan="4" style="padding: 2px;"><input type="checkbox"/> Income Level</td> </tr> </table> <p>Date of Alleged Discrimination (Month, Day, Year): _____</p> <p>Explain as clearly as you can what happened and why it was discrimination. Describe everyone involved. Include the name of the person(s) who discriminated against you (if you know) as well as the names and contact information of any witnesses. It's ok if you need more space. You may use a separate page, but be sure to include your whole explanation with the form.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Sex (gender)	<input type="checkbox"/> Limited English Proficiency (LEP)		<input type="checkbox"/> Income Level			
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Disability									
<input type="checkbox"/> Age	<input type="checkbox"/> Sex (gender)	<input type="checkbox"/> Limited English Proficiency (LEP)										
<input type="checkbox"/> Income Level												

IS THIS ABOUT A SPECIFIC PERSON AT THE ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL?

Who?

HAVE YOU COMPLAINED BEFORE?

Have you made a Civil Rights complaint with the ITCTC before?

Yes

No

If yes, tell us a little about it.

HAVE YOU COMPLAINED TO ANY OTHER AGENCY ABOUT THIS?

Have you complained about this to any other Federal, State, or local agency, or with any Federal or State court? Yes No

If yes, with whom?

Federal Agency: _____

Federal Court: _____ State Agency: _____

State Court : _____ Local Agency: _____

Is there someone we can contact there about your complaint?

Name, Title:

Agency:

Address:

Telephone:

You may attach any other information about your complaint. Be sure to sign and date below.

Signature

Date

You can complain formally

In person at the ITCTC's offices: 121 E. Court Street, Ithaca, NY 14850

By mail to: Fernando de Aragón, ITCTC Title VI Coordinator, 121 E. Court Street, Ithaca, NY 14850

By e-mail to fdearagon@tompkins-co.org (Include the information on this form)

This form is online at www.tompkinscountyny.gov/itctc/civilrights.

If you need help submitting a formal complaint, you can call the ITCTC at (607) 274-5570.

Investigations, Complaints, and Lawsuits

The Ithaca-Tompkins County Transportation Council will submit this form annually to the NYSDOT Office of Civil Rights. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
Complaints				
1)				
2)				
Investigations				
1)				
2)				
Lawsuits				
1)				
2)				

The Ithaca-Tompkins County Transportation Council has not had any Civil Rights (Title VI) complaints, investigations, or lawsuits in the last three years.

Public Participation Plan

The Ithaca-Tompkins County Transportation Council’s *has* Public Involvement Procedures, which aim to engage the public in planning, decision-making processes and outreach activities.

The ITCTC is a “public body” as defined in the New York State Open Meetings Law and is therefore subject to the requirements of that law. The public is invited and encouraged to attend and participate in the regularly scheduled meetings of the ITCTC. The ITCTC holds alternating monthly meetings of its Transportation Planning and Policy Committees. These meetings are open to the public and are held at fully accessible facilities. Meeting notices are sent out approximately two weeks prior to each meeting. The notices include the date, time and location of the meeting and the agenda to be covered. The ITCTC web page also includes meeting schedule information. The public will be informed that a detailed package of information pertaining to the meetings topics will be available prior the meeting date online and at the ITCTC offices. At the beginning of the meetings there is a public comment period that permits any member of the public to comment on agenda items. Written comments provided to the Staff a minimum of two weeks prior to regularly scheduled meetings will be distributed to the Committee members.

Outreach and notice of meetings is accomplished via email notification lists, newspaper announcements and via the ITCTC webpage: www.tompkinscountyny.gov/itctc. For special meetings and workshops the ITCTC has used other outreach such as newspaper inserts, press releases and newspaper articles, radio interviews, etc.

Because the metropolitan transportation process is a dynamic process, there will be occasional need to schedule special meetings of the Transportation Policy Committee and/or Transportation Planning Committee. Public notice for these meetings will be provided in accordance with these procedures. Interested members of the public will be informed regarding the scheduling of MPO subcommittees as appropriate.

At times the ITCTC holds public meetings in order to address issues of concerns. These meetings are publicly advertised and offer an opportunity for the public to express their ideas and opinions and otherwise provide input for consideration by the ITCTC. In general, these meetings deal with transportation issues and their ramifications, or focus on impacts of concern to individuals or groups.

The ITCTC is also available for feedback from the public by email itctc@tompkins-co.org; by phone 607-274-5570; and in person at our office during office hours (9:00am-4:00pm, Mon.-Fri.).

Limited English Proficiency Plan

This Limited English Proficiency Plan (LEP) helps the Ithaca-Tompkins County Transportation Council identify reasonable steps for language assistance for LEP persons seeking meaningful access to the ITCTC’s metropolitan planning process, reports and plans as required by Executive Order 13166. A Limited English Proficiency (LEP) person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

The ITCTC is a subrecipient of NY State Department of Transportation (NYSDOT) federal transportation funds. These funds are used solely in the implementation of the metropolitan planning process of the ITCTC. The ITCTC is the Metropolitan Planning Organization for the Ithaca Urbanized Area and is hosted by Tompkins County. As such, the ITCTC will coordinate with the Tompkins County’s Title VI program, including its Limited English Proficiency Plan, available at:

http://www.tompkinscountyny.gov/files/ctyadmin/Grants/LEP%20Plan%20Final_1.pdf.

The LEP Plan details procedures to identify persons who may need language assistance, the ways in which assistance is provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In determining the extent of obligation to provide LEP services, Tompkins County undertook a U.S. Department of Transportation four-factor LEP analysis, which is described in the LEP Plan.

Four-Factor Analysis

The ITCTC’s Four-Factor Analysis is based on demographic data provided in the Tompkins County LEP Plan. The ITCTC’s planning area encompasses all of Tompkins County.

1. The number or proportion of LEP persons in the ITCTC’s planning area;

The following illustrates the presence of LEP persons (over the age of 5 years) in Tompkins County. All data is from the 2010-2014 American Community Survey 5-Year Estimates.

Language Spoken At Home is Other Than English	14,267 (14.5% of residents)
Speaking English “Less Than Very Well”	3,727 (3.8% of residents)

Languages of Need in Tompkins County: Of these languages, only Chinese meets the Safe Harbor threshold of at least 1,000 or 5% of the population. In the category of speaking English “Less Than Very

Well” are 1,652 people speaking **Chinese**, 376 people speaking **Korean**, 365 people speaking **Spanish** or Spanish Creole, 169 people speaking **Japanese**, 137 people speaking **French** (incl. Patois, Cajun) or French Creole. These are the languages with at least 100 individuals speaking English “Less Than Very Well,” and represent 72.4% of the LEP persons in Tompkins County. There are 22 other languages or language groups with 8-91 people speaking English “Less Than Very Well,” which are the remaining 27.6% of LEP persons in Tompkins County.

2. The frequency with which LEP individuals come in contact with ITCTC activities;

Since inception in 1992, the ITCTC has had no request from individuals where language is a barrier to communication.

The ITCTC will document each time staff has contact with LEP persons, including phone inquiries, requests for interpretation and document translation services, and staff/LEP client feedback communications.

3. The nature and importance of the program, activities or services provided by ITCTC to the LEP population;

Access to transportation services is vital to most people’s lives. According to the Department of Transportation’s Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons, “Providing public transportation access to LEP persons is crucial. An LEP person’s inability to effectively utilize public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment.” The ITCTC works with local, county and State municipalities and agencies to plan for and manage the utilization of federal surface transportation funds in Tompkins County. The ITCTC plans include goals and policies to help reduce barriers to transportation for all in the Tompkins County community, including LEP persons.

4. The resources available to the ITCTC and the overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

The ITCTC utilizes low cost and cost-free resources to minimize the financial and staff time impacts of reducing language barriers to communication. Annually, the ITCTC reviews monetary and staff resources dedicated to LEP assistance as part of any decision to change the LEP plan.

Components of the plan

1. How to identify a person who may need language assistance

By phone: Verbal cues that demonstrate lack of comprehension of English speech or response that is difficult to understand in English.

By e-mail: Written cues such as writing fully or partially in a language other than English, writing that does not fully make sense in English, or lack of comprehension in response to writing in English.

In person: Verbal cues as outlined above. A language identification card is provided and clearly visible at reception desk and meetings.

In outreach: Notice of available language assistance is posted on all ITCTC outreach materials and notifications. LEP persons are encouraged to self-identify.

2. Ways in which assistance may be provided

The two types of language services are interpretation and translation. Interpretation is the immediate rendering of oral language from the source language into the target language. Translation is the rendering of a written text from one language (source language) into another language (target language). Where and when they are available, the ITCTC provides translation or interpretive services at no cost to the LEP person.

3. Availability of translated materials

Google Translate is enabled on all pages of www.tompkinscountyny.gov/itctc. The Civil Rights (Title VI) Notice to the Public, the Civil Rights (Title VI) Complaint Procedure and Civil Rights (Title VI) Complaint form will be produced in Chinese by June 21, 2016. Translation services for other languages will be sought for vital documents upon request. Vital documents are those documents without which a person would be unable to access services or make a civil rights complaint.

4. Offer of Assistance

Where interpretation or translation is necessary to provide meaningful access to ITCTC services, ITCTC staff will seek the assistance of an interpreter or translator. If ITCTC has any bilingual staff or volunteers available, they will be identified and asked to help assist (As of April 11, 2016, two ITCTC staff were bilingual English/Spanish). These services are provided at ITCTC's expense, or the LEP person may secure the assistance of an interpreter/translator of their choice at their own expense. Such services are provided during all normal business hours (9:00am to 5:00 pm, Monday through Friday).

5. Quality

The ITCTC will take reasonable steps to ensure that it provides high-quality interpretation and translation services through individuals who are competent to provide those services at a level of fluency, comprehension, and confidentiality appropriate to the specific nature, type, and purpose of the information at issue.

6. Staff training

All ITCTC employees are made aware of this Civil Rights Plan, including those who do not regularly interface with the public. An overview of the Civil Rights Plan (including the LEP plan) is included in new staff training. At the end of the training, employees should know about: a) the LEP program, b) LEP regulations and how to comply with them, c) how to identify an LEP individual, d) the nature and scope of language assistance services and resources available to them, and e) how to access those services to support their work at the ITCTC.

7. Notification to LEP persons that assistance is available

Individuals are informed by staff that free interpreter and translator services are available when it appears that the individual cannot communicate effectively in English. Notice of availability of free interpreter and translator services also occurs at www.tompkinscountyny.gov/itctc/civilrights, and in written form at the ITCTC's office.

The ITCTC must provide reasonable notification to eligible LEP persons in a way that they will understand that language services are available. An LEP person's awareness of his/her rights or the services available to him/her contributes to meaningful access. Effective outreach to the public is essential to provide reasonable notice to LEP persons. To achieve effective outreach, the ITCTC:

- Provides Google Translate into any language on www.tompkinscountyny.gov/itctc, including pages outlining the Civil Rights (Title VI) statement, complaint procedure, and notification of availability of language assistance.
- Provides a statement about the availability of language services in Chinese, Korean, Spanish, Japanese, and French at <http://www.tompkinscountyny.gov/itctc/civilrights> as well as in some public outreach notices, where appropriate.
- Considers the appropriate mix of print, radio, online, and other forms of outreach in various media outlets and other methods; and

- Seeks input from community organizations and leaders on the nature of the local population, particularly those with LEP, and the most effective measures to reach them.

8. Monitoring and updating this plan

This plan is designed to be flexible and should be viewed as a work in progress. The ITCTC evaluates and monitors its implementation on an annual basis, by December 31st of each year, to ensure that the scope and nature of the language services provided reflect updated information on relevant LEP populations, their language assistance needs, the experience of ITCTC staff, and that the services provided are consistent with the objectives of the LEP Program. Staff will report LEP encounters, feedback from LEP persons served, and consider improvements to best practices in language assistance and public outreach from that year. Staff will consider whether new documents and services need to be made accessible for LEP persons, and also monitor changes in demographics and types of services, and update the LEP plan when appropriate.

Each update should examine the following:

- What is the current LEP population in Tompkins County?
- Has there been a change in the languages where services are needed?
- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- Have available resources, such as technology, staff, and finances, changed?
- Were any civil rights (Title VI) or LEP complaints received?
- Do new staff members understand the LEP plan policies and procedures?

Safe Harbor Provision

The ITCTC complies with the Safe Harbor Provision by making Civil Rights documents available in Chinese. To facilitate Civil Rights awareness in this LEP population, the Civil Rights (Title VI) Notice to the Public, Complaint Procedures, and Complaint Form are available in Chinese at <http://www.tompkinscountyny.gov/itctc/civilrights>. We also make available in multiple languages, including Chinese, a notice of free language assistance for persons with LEP.

Equity Analysis

A subrecipient of federal funds planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. "Facilities" in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

The ITCTC has no current or anticipated plans to develop any facilities covered by these requirements. No facilities covered by these requirements have ever been developed by the ITCTC.

Equity Analysis in Planning (Environmental Justice-EJ)

Although the ITCTC does not engage in land acquisition and construction projects, it does engage in planning efforts, principally the 20-year Long-Range Transportation Plan (LRTP) and the 5-year Transportation Improvement Program (TIP). For both these efforts the ITCTC uses Census sources to identify different populations – low income, seniors, minority groups – to analyze trends, develop goals and policies and, in the TIP, to ensure that proposed projects are not disproportionately affecting these populations. The LRTP chapters 2 and 4 include demographic and transportation system data from various sources to describe, analyze and plan for the transportation sector in Tompkins County. These documents, along with all ITCTC work product, are available online as follows: the latest 2035 LRTP - www.tompkinscountyny.gov/itctc/lrtp ; TIP - www.tompkinscountyny.gov/itctc/tip .

Implementation Plan

All components of this Civil Rights/Title VI plan should be implemented within 30 days of ITCTC Policy Committee review and approval.

ITCTC Policy Committee Approval for this Plan

ATTACH COPY OF ITCTC RESOLUTION.