

# CARDINAL HAYES HOME FOR CHILDREN

PO BOX CH • 60 ST. JOSEPH DRIVE • MILLBROOK • NY • 12545 • (845) 677-6363

## Title VI Program Plan

### **I. Plan Statement**

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on 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, 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). Cardinal Hayes Home for Children (CHHC) is committed to ensuring that no person is excluded from participation in or denied the benefits of its transportation services based on race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A. This plan was developed to guide CHHC's administration and management of Title VI-related activities.

Maria Johnson-Moise  
Corporate Compliance Officer  
60 St Joseph Dr  
P.O. Box CH  
Millbrook, NY 12545  
Phone 845-677-6363

### **II. Title VI Information Dissemination**

Title VI information posters are prominently and publicly displayed on the Cardinal Hayes Home website ([cardinalhayeshome.org](http://cardinalhayeshome.org)) and all major facilities. The Corporate Compliance Officer will provide additional information about non-discrimination obligations upon request.

Title VI information is disseminated to CHHC individuals upon intake or at their annual review meeting containing the language outlined in Appendix A. The document informs individuals residing at CHHC about the policy statement and their Title VI responsibilities in their daily lives and duties.

During the initial intake meeting, the individual is provided a copy of the Title VI Plan and must sign the Acknowledgment of Receipt (see Appendix B).

### **III. Subcontracts and Vendors**

All subcontractors and vendors who receive payments from CHHC, 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 Corporate Compliance Officer will maintain permanent records, which include, but are not limited to, signed acknowledgments of receipts from the individuals indicating the receipt of the CHHC 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 do they believe they were discriminated against? Include the location, names, and contact information of any witnesses. Other information that they deem significant.

Complainants may use the Title VI Complaint Form (see Appendix D) to submit complaint Information. They must file the complaint in writing with the CCO at the following Address for CHHC to facilitate a proper complaint investigation.

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NOTE: CHHC encourages all complainants to certify any mail sent through the U.S. Postal Service to ensure that all written correspondence is 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 happens to the complaint after it is submitted?**

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by CHHC are investigated. CHHC will directly address transportation issues. CHHC shall also provide appropriate assistance to complainants, including those with disabilities or limited ability to communicate in English. Additionally, CHHC shall make every effort to address all complaints expeditiously and thoroughly.

A letter acknowledging receipt of the complaint will be mailed within seven (7) days (see Appendix D). Please note that in responding to 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 the complainant a final written response letter (see Appendix E or F). In the letter notifying the complainant that the complaint is not substantiated (Appendix F), the complainant is advised of their right to:

- 1) Provide additional information to CHHC for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from CHHC.
- 2) File a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration (FTA). Every effort is 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 and details the administrative and reporting requirements for recipients of FTA financial assistance to comply with Title VI and related executive orders, including for 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 essential portions of their programs and activities for LEP customers. CHHC Language Assistance Plan (LAP) includes 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 speaking a language other than English or using sign language requesting assistance. CHHC does not currently have any individuals requiring help other than English, Sign Language, or Prompts.

## **2. Providing Services**

CHHC does not currently need professional translation Services; through its own, CHHC will contract with translation services as needed.

## **3. Communicating Availability of Language Assistance**

CHHC 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 caregivers to provide input or suggest additional services. To date, CHHC has not needed to use translation services provided by either in-house staff or through outside providers.

The CCO will review the Title VI Plan every three years.

## **5. Employee Training**

As part of the Accessibility Plan, CHHC encourages staff interest and education in learning to communicate more effectively with individuals served.

## **VII. Safe Harbor Provision**

The Federal Transit Authority Circular 4702.1B states *DOT has adopted the DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding the 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. Suppose fewer than 50 persons in a language group reach the five percent (5%) trigger. In that case, 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 a 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. Based on the Four Factors Analysis, a recipient may determine that even though a language meets the threshold specified by the Safe Harbor Provision, written translation may not effectively provide language assistance measures. For example, a recipient may determine that many 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.*

## **Membership of Non-elected Committees and Councils**

CHHC does not have a non-elected transit-related advisory council.

## **VII. Title VI Equity Analysis**

CHHC does not have transit-related facilities.

### **Appendix A: Employee Annual Education Form Title VI Policy**

No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All individuals of CHHC are expected to consider, respect, and observe this policy in their daily life and duties. If a participant or family member approaches you with a question or complaint relating to Title VI or discrimination of any kind based on race, color, or national origin, direct them to the CHHC Title VI Coordinator.

In all dealings with anyone in the community, use courtesy titles (i.e., Mrs., Mrs., Ms., or Miss) to address them without regard to race, color, or national origin.

CARDINAL HAYES HOME FOR CHILDREN  
CARDINAL HAYES SCHOOL FOR SPECIAL CHILDREN  
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**Title VI COMPLAINT FORM**

Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

**Basis of Complaint: (place checkmark)**

- Race
- Color
- Sex
- 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 \_\_\_\_\_

When did you acquire \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Mail to:

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