



Title VI Program Plan

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, 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).

Aspire of Western New York 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, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A. This plan was developed to guide Aspire of Western New York in its administration and management of Title VI related activities. For further information contact the Title VI Coordinator through:

Aspire of Western New York
Director of Quality/Compliance Officer

2356 North Forest Road
Getzville, New York 14068

Compliance Hotline at 716-505-5671

Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed on Aspire of Western New York webpage and in the log books within the vehicles. Additional information relating to non-discrimination obligation can be obtained from Aspire of Western New York's Title VI Coordinator.

Title VI information shall be disseminated to Aspire of Western New York transportation employees annually containing the language set forth in Appendix A. This reminds employees of Aspire of Western New York about the policy statement and of their Title VI responsibilities in their daily work and duties.

During the Transportation department on-site orientation, new employees shall be informed of the provisions of Title VI and the expectations of Aspire of Western New York employees to perform their duties accordingly. All Transportation employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (Appendix B).

All subcontractors and vendors who receive payments from Aspire of Western New York 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.

Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgement of receipts from the employees indicating the receipt of the Aspire of Western New York 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.

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) day from the date of the alleged discrimination. The complaint should include the following information: Complainant's name, mailing address and how to contact them. How, when, where and why they believe they were discriminated against. Include the location, names and contact information of any witnesses. Any other information that they deem significant.

The Title VI Complaint Form (Appendix C) may be used to submit complaint information. The complaint must be filed in writing with Aspire of Western New York at the following address in order for it to be properly investigated:

Aspire of Western New York
Director of Quality/Compliance Officer
2356 North Forest Road
Getzville, New York 14068

Compliance Hot line at 716-505-5671

NOTE: Aspire of Western New York 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 phone a 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 the 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 Aspire of Western New York transportation program will be directly addressed and investigated. Aspire of Western New York shall also provide appropriate assistance to complainants, including those person with disabilities, or who are limited in their ability to communicate in English. Additionally, Aspire of Western New York shall make every effort to address all complaints in an expeditious and through manner.

A letter acknowledging receipt of complaint will be mailed within seven (7) calendar days (Appendix D). 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.

Complainant notification

The Title VI Coordinator will send a final written response letter (Appendix E or F) to the complainant. In the letter notifying the complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his/her right to:

- 1.) Provide additional information to Aspire of Western New York for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from Aspire of Western New York and/or
- 2.) File a complaint externally with the U.S. Department of Transportation and/or the FTA 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

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 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. Aspire of Western New York Language Assistance Plan complies with the requirements of the DOT LEP guidance.

1. Identifying the LEP Individuals:

LEP individuals are those individuals speaking a language other than English or using sign language that request assistance. Aspire of Western New York does not currently have any individuals that require any other help other than English, sign language or prompts to communicate.

2. Provide Services:

Aspire of Western New York does not currently have an on-going need for professional translation services through its own. Aspire of Western New York will contract with translation services as needed.

3. Communicating Availability of Language Assistance:

Aspire of Western New York will inform those who request services of the process to provide an independent contractor for translation.

4. Monitoring:

Satisfaction Surveys offer an opportunity for individual's served and their care givers to provide input or suggest additional services. Aspire of Western New York has not had the need to use translation services, however if used a survey will be sent. The Title VI Plan will be reviewed every three years.

5. Employee Training:

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

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 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. Translation 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 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 Provision 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 that even though a language meets the threshold specified, written translation may not be an effective means to provide language assistance measures.

Membership of Non-elected Committees and Councils

Aspire of Western New York does not have a non-elected transit related advisory council at this time.

Aspire of Western New York is a closed door service provider, we currently only provide transportation service to the individuals that we provide services for. If we choose to move to an open door service we will create this committee.

Aspire of Western New York does not have a transit related facility.



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 employees of Aspire of Western New York are expected to consider, respect, and observe this policy in their daily work and duties. If a participant or family member approaches you with a question or complaint relating to Title VI or discrimination of any kind, direct him or her to Aspire of Western New York, Vice President of Quality/Compliance Officer in writing at:

Aspire of Western New York

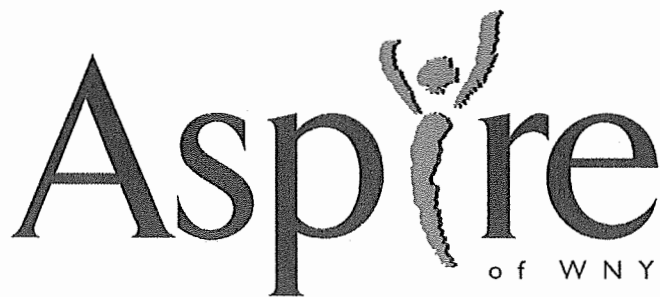
Director of Quality/Compliance Officer

2356 North Forest Road

Getzville, New York 14068

Or call:

Compliance Hot line 716-505-5671



Appendix B: Employee Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Aspire of Western New York 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, or national origin, as protected by Title VI Federal Administration (FTA) Circular 47002.1.A.

Print name

Employee's signature

Date



Appendix C: Title VI Complaint Form

Name _____

Address _____ City _____ Zip _____

Telephone _____

Basis of Complaint (circle all that apply)

Race Color Sex National Origin Age Disability

Type of Complaint (circle all that apply)

Program Service Benefit Activity

Who allegedly discriminated against you?

Name (of person or organization) _____

Address _____ City _____ Zip _____

Telephone _____

How were you discriminated against?

Date and time discrimination occurred?

Were there any witnesses to the discrimination?

Name _____

Address _____ City _____ Zip _____

Telephone _____

Have you filed your complaint with anyone else?

If yes, who _____

When _____

Do you have an Attorney in this matter?

Name _____

Address _____ City _____ Zip _____

Telephone _____

When did you acquire _____

Signature _____

Date _____

Mail to: Aspire of Western New York
 Director of Quality/Compliance
 Officer
 2356 North Forest Road Getzville,
 New York 14068



Appendix D: Letter Acknowledging Receipt of Complaint

Date:

Name:

Address:

City, State, Zip:

Dear:

This letter is to acknowledge receipt of your complaint against Aspire of Western New York alleging _____

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter please contact in writing:

Aspire of Western New York

Director of Quality/Compliance Officer

2356 North Forest Road

Getzville, New York 14068

Thank you,



Appendix E: Letter Notifying Complainant that the Complaint is Substantiated

Date:

Name:

Address:

City, State, Zip

Dear:

The matter referenced in your compliant form dated _____ against Aspire of Western New York alleging a Title VI violation has been investigated. An apparent violation of Title VI of the Civil Rights Act of 1964 that was mentioned in your compliant was identified. Efforts are underway to correct these deficiencies.

Thank you for bringing this important matter to our attention. You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Title VI Coordinator



**Appendix F: Letter Notifying Complainant that the Complaint is
Not Substantiated**

Date:

Name”

Address:

City, State, Zip

Dear: _____

The matter referenced in your complaint dated _____ against Aspire of Western New York alleging a Title VI violation 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.

Aspire of Western New York has analyzed the materials and facts pertaining to your case of evidence of Aspire’s failure to comply with any civil rights laws. There was no evidence found that any of these laws have been violated. Therefore your complaint has not been substantiated and your case will be closed.

You have the right to:

1. Provide additional information to this office for reconsideration of your complaint within 7 calendar days of receipt of this final written decision.
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.

Sincerely,

Title VI Coordinator



**Appendix G: NYSDOT Transportation Programs Title VI Investigations,
Complaints & Lawsuits Log**

Agency: Aspire of Western New York

Title VI Coordinator: Director of Quality/Compliance Officer

E-Mail:

Contact Number: 716-505-5671

Fiscal year:

Reporting Period: Circle one

1st Half (January-June) 2nd Half (July-December) Complete Year

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:
 - a. Date the investigation, lawsuit or complaint was filed.
 - b. Summary of the allegation(s).
 - c. Status or if resolved
 - d. What steps or actions were taken to resolve.

