



# ABILITIES FIRST

ENRICHING THE LIVES OF CHILDREN  
& ADULTS IN OUR COMMUNITIES

## Title VI Program

April 2016

Submitted to:  
New York State Department of Transportation

Submitted by:  
Abilities First, Inc.  
70 Overocker Road  
Poughkeepsie, NY 12603

## **Introduction**

Abilities First, Inc. submits this Title VI Program in accordance with FTA Circular 4702.1A, dated May 13, 2007 (the "Circular"). This plan is submitted to ensure Abilities First, Inc. promulgates its Title VI Program in compliance with federal regulations. Abilities First, Inc. incorporates considerations expressed in the Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005) as embodied in Executive Order 13166. The foundation of Abilities First, Inc.'s Title VI Program is that no person on the grounds of race, color, sex, age, national origin, religion, disabling condition, or being included within minority populations and/or low-income populations will be discriminated against under any program administered or funded by Abilities First, Inc. This Title VI Program follows the requirements of the Circular (Chapter IV & Chapter VI) to prepare and submit a Title VI Program.

## **Overview of Title VI**

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d state that *"No person in the United States, shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals and groups from discrimination on the basis of their race, color, and national origin in programs and activities that receive Federal financial assistance. The Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration and the Federal Railroad Administration each reference Title VI and other civil rights statutes and related authorities that prohibit discrimination in programs and activities receiving Federal financial assistance.

## **Abilities First, Inc.'s Organizational Approach to Title VI**

Abilities First, Inc. has developed a Title VI Program to assure that services, programs, and activities are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities.

Abilities First, Inc.'s external Civil Rights program includes overseeing the development and implementation of its Title VI program, including the American with Disabilities Act (ADA), Environmental Justice (EJ) and Limited English Proficiency (LEP).

Abilities First, Inc.'s Compliance Officer has direct access to our board and will be responsible to ensure that promulgating Title VI is in accordance with Federal Transit Administration (FTA) requirements.

### **Public Participation Plan**

Abilities First, Inc. will conduct outreach activities throughout our service area to engage minority and limited English proficient populations (LEP).

- a. Public Meetings:** Client Information Meetings, Advisory Board Meetings, Public Hearings and other community meetings.  
**Outreach** –will inform the public of the public meetings through the advertising in the Community Newsletter (printed quarterly), postings in the Town and Village offices, community bulletin boards, banks, and other merchants in the area.  
**Meeting Format** –will host these meetings in afternoon and evening hours (varying to allow full participation).
- b. Coordination:** Abilities First, Inc. will coordinate with other agencies such as: Department of Labor, local churches local food pantries, social services, libraries and other community organizations to provide the provide an opportunity or feedback on current services.

### **Abilities First, Inc. Limited English Proficiency (LEP) Language Assistance Plan**

Limited English Proficient (LEP) populations are people for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. LEP populations include BOTH people who report to the US Census that they do not speak English well AND people who report that they do not speak English at all.

In order to ensure meaningful access to programs, policies, and activities comply with US Department of Transportation (USDOT) Title VI of the Civil Rights Act of 1964 and New York State Department of Transportation (NYSDOT) requirements, Abilities First, Inc. has elected to utilize the Language Assistant Plan as developed by New York State Department of Transportation (NYSDOT). Dutchess County LEP maps as referenced at [https://www.lep.gov/maps/lma/Final\\_508/](https://www.lep.gov/maps/lma/Final_508/) do identify Limited English Proficiency between 5 and 10% of the county population. Abilities first will work to provide interpreter services for those members of the community who use our services and have LEP. (For example – we may use languageline services that can be found at: <https://www.languageline.com/>).

Abilities First, Inc. will ensure their programs, policies, and activities comply by taking responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). The following graph demonstrates the racial background of the service area (Dutchess County, NY). As such, there are no LEP issues identified. Abilities First, Inc. will continue to monitor our service area demographics annually.

#### **Race and Hispanic Origin**

White alone, percent, July 1, 2014, (V2014) (a)	77.4%
Black or African American alone, percent, July 1, 2014, (V2014)(a)	13.2%
American Indian and Alaska Native alone, percent, July 1, 2014, (V2014) (a)	1.2%
Asian alone, percent, July 1, 2014, (V2014) (a)	5.4%
Native Hawaiian and Other Pacific Islander alone, percent, July 1, 2014, (V2014) (a)	0.2%
Two or More Races, percent, July 1, 2014, (V2014)	2.5%
Hispanic or Latino, percent, July 1, 2014, (V2014) (b)	17.4%
White alone, not Hispanic or Latino, percent, July 1, 2014, (V2014)	62.1%

Abilities First, Inc. will maintain a list of staff members who speak languages other than English. These individuals may be called upon to assist in working with community members who have limited English proficiency.

When issues or actions affect concentrated populations of non-English speaking people, we will place notices and announcements in appropriate community media, in applicable language(s). Abilities First, Inc. will utilize translation services to insure accuracy for published materials targeted to non-English speaking communities.

## **Abilities First, Inc. Notice to the Public of Title VI Obligations and Complaint Procedures**

Abilities First, Inc. notifies the public of its Title VI obligations through posting the policy in a public forum on its office bulletin board, as well as within transportation accessible to all riders. In addition, each transporter will have a copy of this Title VI plan accessible for all riders.

Abilities First, Inc. has adopted the Title VI complaint procedure (instruction to the public) developed by New York State Department of Transportation (NYSDOT) which ensures that no person in the State of New York will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program administered by Abilities First, Inc.

All applicants for Federal Transit Administration (FTA) financial assistance are required to ensure their programs, policies, and activities comply with US Department of Transportation (USDOT) Title VI of the Civil Rights Act of 1964. In order to comply with 49 CFR Section 21.9(b), the below instructions to the public regards how to file a Title VI discrimination complaint, internal procedures, and a Complaint Form, and submit copies to Abilities First, Inc. as part of the Title VI Program.

### **NYSDOT's complaint instructions are:**

The public may file discrimination complaints directly with the Abilities First, Inc. using the same guidelines and forms as noted by the fore mentioned NYSDOT instructions. Complaints must be directed in writing, signed by the person(s) or their representative and must include the complainant(s) name, address and telephone number and sent to: Corporate Compliance Officer, 70 Overocker Road, Poughkeepsie NY 12603. Fax (845) 473-1270.

Allegations of discrimination received by mail or fax will be acknowledged. All complaints processed by Abilities First, Inc. are conducted within the time frames outlined in 23 CFR 200.9(b)(3).

While Abilities First, Inc. is required to report allegations and outcomes directly to the NYSDOT, complainants may also elect to file their complaint directly with the NYSDOT. Members of the public may file a signed, written complaint within 180 days from the date of the alleged discrimination.

NYSDOT's Office of Civil Rights (OCR) has developed a Title VI complaint procedure to help ensure that no person (in the State of New York) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program administered by NYSDOT.

Complaints must be directed in writing, signed by the person(s) or their representative and must include the complainant(s) name, address and telephone number to:

Title VI Coordinator Office of Civil Rights New York State Department of Transportation  
50 Wolf Road, 6th Floor  
Albany, New York 12232  
Phone: (518) 457-1129  
email: [OCR-TitleVI@dot.ny.gov](mailto:OCR-TitleVI@dot.ny.gov)

NYS DOT's procedure for investigating Title VI complaints is available upon request. Information and applicable forms regarding NYS DOT's procedure for filing a Title VI complaint can be found on NYS DOT's website at:

<https://www.dot.ny.gov/main/business-center/civil-rights/title-vi-ej?nd=nysdot>

### **Record of Title VI Investigations, Complaints, or Lawsuits**

Abilities First, Inc. has had two (2) Title VI investigations, complaints or lawsuits filed with them or that names Abilities First, Inc. for alleged discrimination in the three past three (3) years.

**Abilities First, Inc.**  
**Title VI Compliance Requirements**  
**INVESTIGATIONS, COMPLAINTS & LAWSUITS LOG**

In order to comply with 49 CFR Section 21.9(b), recipients and sub-recipients shall prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or sub-recipient that allege discrimination on the basis of race, color, or national origin. Sub-recipients awarded Federal grants through NYSDOT must complete this log at the end of each quarter and at the end of each Fiscal Year, providing the requested information. Specified data is required semi-annually, as instructed below. Certain information is required only at the end of the Fiscal Year, as instructed below.

AGENCY: Abilities First, Inc.

TITLE VI OFFICER: Abilities First Inc. Compliance Officer

E-MAIL: [Compliance@abilitiesfirstny.org](mailto:Compliance@abilitiesfirstny.org)

FISCAL YEAR 2016

REPORTING PERIOD (check appropriate box):

1 st Half  
(July-December)

2 nd 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 in response to the investigation, lawsuit or complaint. (Report on separate paper at the end of the fiscal year).