

## **Title VI Program Plan**

### **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, 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).

BEHAVIORAL HEALTH SERVICES NORTH 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 BEHAVIORAL HEALTH SERVICES NORTH in its administration and management of Title VI-related activities.

Your Information Here:

**Shawn Sabella, Chief Quality Officer**  
**22 US Oval, Suite 218**  
**Plattsburgh, NY 12903**  
**Phone 518 563 8000**

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

Title VI information posters shall be prominently and publicly displayed on Your website, [www.bhsn.org](http://www.bhsn.org) and all major facilities. Additional information relating to non-discrimination obligation can be obtained from the BEHAVIORAL HEALTH SERVICES NORTH Title VI Coordinator.

Title VI information shall be disseminated to Behavioral Health Services North transportation employees annually via the employee handbook containing the language set forth in Appendix A This reminds employees of Behavioral Health Services North 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 Behavioral Health Services North 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 Acknowledgment of Receipt (see Appendix B).

### **III. Subcontracts and Venders**

All subcontractors and venders who receive payments from Behavioral Health Services North Inc. 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 Behavioral Health Services North 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 C) may be used to submit complaint information. The complaint must be filed in writing with BEHAVIORAL HEALTH SERVICES NORTH at the following Address in order for Behavioral Health Services North to properly investigate any complaint:

**Shawn Sabella, Chief Quality Officer**  
**22 US Oval, Suite 218**  
**Plattsburgh, NY 12903**  
**Phone 518 563 8000**

NOTE: Behavioral Health Services North 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 or national origin in a service or benefit provided by Behavioral Health Services North. Transportation will be directly addressed by Behavioral Health Services North. for investigation. Behavioral Health Services North., shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, Behavioral Health Services North 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 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.

**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 E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to

- 1) Provide additional information to Behavioral Health Services North for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from Behavioral Health Services North 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. Behavioral Health Services North 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 individuals speaking a language other than English or using sign language that request assistance. Behavioral Health Services North Inc. does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

**2. Providing Services**

Behavioral Health Services North does not currently have an on-going need for professional translation Services, through its own, Behavioral Health Services North will contract with translation services as needed.

**3. Communicating Availability of Language Assistance**

Behavioral Health Services North 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 Behavioral Health Services North 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, Behavioral Health Services North 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 provision apply to the translation of written documents only. The 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**

Behavioral Health Services North does not have a non-elected transit related advisory council at this time.

**IX. Title VI Equity Analysis**

Behavioral Health Services North Inc. does not have transit related facilities.

**Appendix D: 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 legal help? \_\_\_\_\_

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

Mail to: Behavioral Health Servies North  
Shawn Sabella, Chief Compliance Officer  
22 US Oval, Suite 218  
Plattsburgh, NY 12903  
Phone (518) 563 8000