

## **Title VI and ADA Program Plan**

### **I. Plan Statement**

Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA) of 1990 prohibits discrimination on the basis of race, color, national origin, or disability 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).

The Institute for Human Services, Inc. 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, national origin, or disability as protected by Title VI and the ADA in Federal Transit Administration (FTS) Circular 4702.1.A. This plan was developed to guide The Institute for Human Services, Inc. in its administration and management of Title VI-related activities.

Your Information Here:

**Kelsie Acor, Title VI and ADA Coordinator**  
**Compliance Department**  
**50 Liberty Street**  
**Bath, NY 14810**  
**Phone (607) 776-9467**

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

Title VI and ADA information posters shall be prominently and publicly displayed on our website [www.ihsnet.org](http://www.ihsnet.org) and all major facilities. Additional information relating to non-discrimination obligation can be obtained from the Institute for Human Services, Inc. Title VI and ADA Coordinator.

Title VI and ADA information shall be disseminated to The Institute for Human Services, Inc. employees annually via the employee handbook containing the language set forth in Appendix A. This reminds employees of The Institute for Human Services, Inc. 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 The Institute for Human Services, Inc. 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 Vendors**

All subcontractors and vendors who receive payments from The Institute for Human Services, Inc. where funding originates from any Federal assistance are subject to provisions of Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 as amended.

The Institute for Human Services, Inc. only contracts with NYSDOT approved public providers for clients who need specialized transportation services. Therefore, the organization does not monitor the vendors Title VI and ADA compliance as NYSDOT is already monitoring.

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 and ADA Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgments of receipts from the employees indicating the receipt of The Institute for Human Services, Inc. Title VI and ADA Plan, copies of the Title VI and ADA complaints or lawsuits and related documentation, and records of correspondence to and from complainants and Title VI and ADA investigations.

### **V. Title VI or ADA Complaint Procedures**

#### **How to file a Title VI or ADA**

#### **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 and ADA Complaint Form (see Appendix C) may be used to submit complaint information. The complaint must be filed in writing with THE INSTITUTE FOR HUMAN SERVICES, INC. at the following Address in order for The Institute for Human Services, Inc. to properly investigate any complaint:

**Kelsie Acor, Title VI and ADA Coordinator**  
**Compliance Department**  
**50 Liberty Street**  
**Bath, NY 14810**  
**Phone (607) 776-9467**

NOTE: The Institute for Human Services, Inc. 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 and ADA 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, national origin, or disability in a service or benefit provided by The Institute for Human Services, Inc. Transportation will be directly addressed by The Institute for Human Services, Inc. for investigation. The Institute for Human Services, Inc. shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, The Institute for Human Services, Inc. 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 and ADA 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 The Institute for Human Services, Inc. for consideration of the complaint within seven (7) calendar days of receipt of the final written decision from The Institute for Human Services, Inc. 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. The Institute for Human Services, Inc. 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. The Institute for Human Services, Inc. does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

**2. Providing Services**

The Institute for Human Services, Inc. does not currently have an on-going need for professional translation Services, through its own, The Institute for Human Services, Inc. does contract with on demand translation services available in 120 languages.

**3. Communicating Availability of Language Assistance**

The Institute for Human Services, Inc. will inform those who request services of the process to provide translation services.

**4. Monitoring**

Satisfaction Surveys offer an opportunity for individuals served and their care givers to provide input or suggest additional services. To date The Institute for Human Services, Inc. has not had the need to use translation services provided by both in-house staff through outside providers.

The Title VI and ADA Plan will be reviewed every three years.

**5. Employee Training**

As part of the Accessibility Plan, The Institute for Human Services, Inc. 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. 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, 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**

The Institute for Human Services, Inc. does not have a non-elected transit related advisory council at this time.

## **IX. Title VI Equity Analysis**

The Institute for Human Services, Inc. does not have transit-related facilities.

## Appendix A: Employee Annual Education Form Title VI and ADA Policy

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 subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of The Institute for Human Services, Inc. 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 ADA of discrimination of any kind based on race, color, national origin, or disability direct him or her to The Institute for Human Services, Inc. Title VI and ADA 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, national origin, or disability.

  
\_\_\_\_\_  
Mark Alger Board Chair

Date 5 / 17 / 2023

  
\_\_\_\_\_  
Belinda Hoad Executive Director

Date 5 / 17 / 2023

  
\_\_\_\_\_  
Kelsie Acor Title VI and ADA Coordinator

Date 05 / 17 / 2023

**Appendix B: Employee Acknowledgement of Receipt of Title VI and ADA Plan**

I hereby acknowledge the receipt of The Institute for Human Services, Inc. Title VI and ADA 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, national origin, or disability as protected by Title VI in Federal Administration (FTA) Circular 47002.1.A.

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Employee signature

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Print name

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Date

## **Appendix C: Public Participation Plan**

The Institute for Human Services, Inc. receives client referrals for transportation services from Steuben County Office for the Aging and 211 HELPLINE. All client interactions are completed via phone and our website contains all pertinent information. All people referred to the program are onboarded as clients before transportation services are completed. After the client is onboarded they may call the organization directly for ongoing transportation needs.

The Institute for Human Services, Inc. provides closed door services to its clients through the use of Volunteer Drivers who operate their own vehicles to provide transportation services. The Institute for Human Services, Inc.'s clients call the organization when they know they have a doctor appointment, need to get access to food, service-related appointments, or pharmacy services so the organization can schedule a Volunteer Driver to meet the client transportation needs. The organization confirms the date, appointment time, pick up location, drop off location, name of volunteer driver, and description of the volunteer drivers' vehicle 24 hours before the appointment date.



Appendix D: Title VI and ADA 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: Kelsie Acor, Title VI and ADA Coordinator  
Compliance Department  
50 Liberty Street  
Bath, NY 14810  
Phone (607)776-9467

**APPENDIX E: Letter Acknowledging Receipt of Complaint**

Date

Name

Address

City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against The Institute for Human Services, Inc. Department alleging \_\_\_\_\_.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by contacting our office at (607) 776-9467 or in writing to 50 Liberty Street Bath, NY 14810.

Sincerely,

Kelsie Acor

Title VI and ADA Coordinator

## **APPENDIX F: Letter Notifying Complainant that the Complaint Is Substantiated**

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your letter dated \_\_\_\_\_ against The Institute for Human Services, Inc. alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964 or The Americans with Disabilities Act of 1990, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Kelsie Acor

Title VI and ADA Coordinator

**APPENDIX G: Letter Notifying Complaint and that the Complaint Is Not Substantiated**

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your complaint dated \_\_\_\_\_ against the THE INSTITUTE FOR HUMAN SERVICES, INC. Transportation alleging

\_\_\_\_\_ has been investigated. The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 or The Americans with Disabilities Act of 1990, had in fact been violated. As you know Title VI and ADA prohibits discrimination based on race, color, national origin, or disability in any program receiving federal financial assistance.

The Institute for Human Services, Inc. has analyzed the materials and facts pertaining to your case of evidence of the Department's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated and that I am closing the matter in our files.

You have the right to 1) provide additional information to this office for reconsideration of your complaint within seven (7) calendar days of receipt of this final written decision from The Institute for Human Services, Inc. and/or 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 for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Kelsie Acor

Title VI and ADA Coordinator

**APPENDIX H: Sample of Narrative to be included in Posters to be displayed in Participants Transport Vehicles and Facilities**

The Institute for Human Services, Inc. is committed to ensuring that no person is excluded from participation in, denied the benefits of, or be subjected to discrimination in the receipt of its services on the basis of race, color, national origin, or disability as protected by Title VI of the Civil Rights Act of 1964 and The Americans with Disabilities Act of 1990.

If you feel you are being denied participation in or being denied benefits of the services provided by The Institute for Human Services, Inc. or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at (607) 776-9467.



**APPENDIX I: NYSDOT Public Transportation Programs  
Title VI Investigations, Complaints & Lawsuits Log**

**AGENCY:** Institute for Human Services, Inc.

**TITLE VI and ADA COORDINATOR:** Kelsie Acor

**E-MAIL:** acork@ihsnet.org

**CONTACT:** (607) 776-9467

**FISCAL YEAR FY:**

**REPORTING PERIOD** (check appropriate box):

1<sup>ST</sup> Half   
(July-December)

2<sup>ND</sup> 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 by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**



