



Pathways, Inc.

Pathways, Inc. TITLE VI PLAN POLICY AND PROCEDURE 2023 - 2026

I. Plan Statement:

Pathways, Inc. (the Agency) assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. Pathways, Inc. further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

Pathways Inc. also hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from this Federal financial assistance.

In addition, Pathways Inc. assures compliance with all New York State and local laws which provide for non-discrimination of individuals in programs, services, or activities.

II. Overview:

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.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, and national origin in programs and activities receiving Federal financial assistance. Specifically, 42 U.S.C. Section 2000d states 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"

III. Title VI Information Dissemination:

Title VI Plan information, including the Pathways, Inc. Title VI Nondiscrimination Policy Statement, shall be prominently and publicly displayed on the agency's public website, <https://www.pathwaysforyou.org/title-vi-nondiscrimination-policy-statement>, as well as the bulletin

ADMINISTRATIVE OFFICES

33 Denison Parkway West, Corning, New York 14830 T: (607) 937-3200 F: (607) 937-3202

[pathwaysforyou.org](https://www.pathwaysforyou.org)

board at the Agency's headquarters. Additional information relating to non-discrimination obligation can be obtained from the Pathways, Inc. Title VI Coordinator.

Title VI information shall be disseminated to Pathways Inc. employees via the New Hire Vehicle Use and Safety Training, containing the language set forth in Appendix A. This reminds employees of Pathways Inc. about the policy statement and of their Title VI responsibilities in their daily work and duties.

During the New Hire Vehicle Use and Training, new employees shall be informed of the provisions of Title VI and the expectations of Pathways Inc. employees to perform their duties accordingly. All transportation employees shall be provided a copy of the Title VI Plan during the New Hire Vehicle Use and Safety Training and are required to sign the Acknowledgment of Receipt (see Appendix B)

IV. Subcontracts and Vendors:

All subcontractors and vendors who receive payments from Pathways, 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.

V. 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 Pathways, Inc. 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.

Pursuant to Title VI Program Requirements- Complaint Procedures, Pathways Inc. shall maintain a log of transit-related Title VI investigations, complaints and law suits. The following is a log of all investigations, complaints, or lawsuits pertaining to allegations of discrimination on the basis of race, color, and/or national origin in transit related activities and programs;

Over the course of the reporting period, since the agencies previous submission of a Title VI Plan to the New York State Department of Transportation (August 2020), there have been no transit related Title VI Investigations, complaints or lawsuits filed with the agency or naming the agency that allege discrimination.

In addition to this complaint log, filed tri-annually with the submission of the Pathways Inc. Title VI Plan, any subsequent investigations, complaint, or lawsuit pertaining to allegations of discrimination on the basis of race, color, and/or national origin in transit related activities and programs will be noted and reported within the Pathways, Inc. NYSDOT Section 5310 Program – Enhanced Mobility for Seniors and Individuals with Disabilities - semi-annual Grant Report.

VI. Title VI Complaint Procedures:

1. Pathways 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 Pathways Inc.
2. 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), Pathways Inc., within this following procedure, has included information to the public with regard to how to file a Title VI discrimination complaint, either directly with Pathways Inc., through the NYSDOT as part of the Title VI Program Compliance, or through the Federal Transit Administration's Office of Civil Rights.

3. The public may file discrimination complaints directly with the Pathways Inc. using the same discrimination complaint form developed by the NYSDOT (see attached).

VII. Title VI Notice and Complaint Process:

Pathways Inc. operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964, which provides: "No person in the United States 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 activating receiving Federal financial assistance".

Pathways Inc. is committed to ensuring that no person is excluded from participating in or denied the benefits of its public services on the basis of race, color, or national origin.

How to file a Title VI Complaint

If you believe you have been subjected to discrimination under Title VI or related non-discrimination laws (ADA, Civil Rights), you may file a complaint with Pathways Inc.

1. The Complainant may file a written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. 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:

Pathways, Inc. Title VI Plan Coordinator
Director of Transportation,
Pathways Inc., 33 Denison Parkway West,
Coming, NY 14830
Phone: (607) 937-4532
Fax: (607) 937-3210.
Email: Rkowal@pathwaysforyou.org

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

2. If you believe you have been subjected to discrimination under Title VI or related non-discrimination laws, you may choose to file a complaint with NYSDOT. NYDOT has a standard process for investigating complaints of alleged violations of Title VI. 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

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

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

3. If you believe you have been subjected to discrimination under Title VI or related non-discrimination laws, you may choose to file a complaint with The FTA. The Federal Transit Administration office has a standard process for investigating complaints of alleged violations of Title VI. If you believe you have been discriminated against by a public transit provider, you may file an administrative complaint with the FTA Office of Civil Rights. Complaints may be directed in writing, signed by the person(s) or their representative and must include the complainant(s) name, address and telephone number to:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

The FTA's procedure for filing and investigating Title VI complaints can be found on FTA's website at: <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file-complaint-fta>

VIII. Investigative Process:

The Pathways, Inc. Title VI Coordinator will notify the complainant, in writing, within ten (10) days of the receipt of the complaint. The Coordinator will review each complaint, and when necessary, being the investigative process. All complaints will be investigated promptly. The investigation should be completed within thirty (30) days. In the event that the Coordinator is also an individual perceived as a party to the action complained against, Pathways Inc. will appoint a neutral third party to perform the investigation.

At a minimum, the investigation should include the following: notifying the department head, providing the respondent with an opportunity to answer, in writing, the allegations of discrimination, developing an investigative plan, conducting interviews, collecting and analyzing evidence, and preparing an investigative report. The Coordinator will undertake reasonable measures to maintain confidentiality. Upon completion of the investigation, if a Title VI violation is found to exist, remedial steps as appropriate will be taken immediately. The complainant will also receive a copy of the final investigative report. The investigation process and final report should take no longer than ninety (90) days.

IX. Appeal Process:

If no violation is found and the complainant wishes to appeal the decision, he or she may contact:

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
FTA Office of Civil Rights
East Building, Fifth Floor –TCR
1200 New Jersey Ave. SE
Washington DC 20590

Or file a complaint online through the FTA's website, <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/fta-civil-rights-complaint-form>.

Or

Title VI Coordinator
Office of Civil Rights
New York State Department of Transportation
50 Wolf Road, 6th Floor
Albany, NY 12232

X. 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. Pathways 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. Pathways Inc. does not currently have any individuals that require any other help other than English, Sign Language or Prompts.

2. Providing Services

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

3. Communicating Availability of Language Assistance

Pathways, Inc. 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 Pathways, Inc. 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, Pathways, Inc. encourages staff interest and education in learning to more effectively communicate with individuals served.

XI. 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."

XII. Membership of Non-elected Committees and Councils:

Pathways, Inc. does not have a non-elected transit related advisory council at this time. If at any such time Pathways, Inc. feels the need to establish a non-elected transit related committee or council, membership selection of said assembly will be identified within the Pathways, Inc. Title VI Program. This identification will include a table depicting the membership broken down by race, and a description of the process the agency uses

XIII. Title VI Equity Analysis:

Pathways, Inc. does not have transit related facilities and therefore an Equity Analysis is not required.

XIV. Public Participation Plan:

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), sub recipients must develop, and submit to NYSDOT, a Public Participation Plan, which includes information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission.

As a sub recipients Pathways, Inc. is committed to offering early, often, and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions. As a means of providing adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points Pathways, Inc. has engaged in the Public Participation outreach efforts since the submission of the last Title VI Program. These efforts include but are not limited to;

1. Regular attendance and participation at the quarterly Steuben County Public Transit-Human Services Coordinated Transportation Advisory Committee meetings.
2. Regular attendance and participation at the quarterly Chemung County Coordinated Transportation Committee meetings.
3. Routine exposure within local media outlets publishing "Public Notice of intent to provide transportation for elderly individuals and individuals with disabilities utilizing federal funds".
4. Maintenance of a public website (www.pathwaysforyou.org) which includes updates and pertinent changes to inform low-income, minority and LEP populations directly. Sub recipients must be able to show these populations have been notified of the change by documenting the outreach activities and response.
5. The utilization of social media, including Facebook and You Tube to complement, but not replace, other involvement strategies.

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 Pathways, 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 discrimination of any kind based on race, color, or national origin, direct him or her to Pathways, Inc. 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.

Appendix B: Employee Acknowledgement of Receipt of Pathways, Inc. Title VI Plan

I hereby acknowledge the receipt of the Pathways, Inc. 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 in Federal Administration (FTA) Circular 47002.1.A.

Employee signature

Print name

Date

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
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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: Pathways, Inc. Title VI
Coordinator

Director of Transportation
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830
Phone: 607-937-3200
Fax: 607-937-3210

APPENDIX D: Letter Acknowledging Receipt of Complaint

Date

Name

Address

City, State Zip

Dear Name:

This letter is to acknowledge receipt of your complaint against Pathways, Inc. 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 our office at (607) 937-3200 or in writing to Pathways, Inc., 33 Denison Parkway West.

Sincerely,

Pathways, Inc. Title VI Coordinator
Director of Transportation
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830
Phone: 607-937-3200
Fax: 607-937-3210

APPENDIX E: Letter Notifying Complainant that the Complaint Is Substantiated

Date

Name

Address

City, State Zip

Dear Name:

The matter referenced in your letter dated _____ against Pathways, Inc. alleging Title VI violation has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, 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,

Pathways, Inc. Title VI Coordinator
Director of Transportation
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830
Phone: 607-937-3200
Fax: 607-937-3210
www.pathwaysforyou.org

APPENDIX F: 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 CWI 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, had in fact been violated. As you know Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

Pathways, 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 Pathways, 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,

Pathways, Inc. Title VI Coordinator
Director of Transportation
Pathways, Inc.
33 Denison Parkway West
Corning, NY 14830
Phone: 607-937-3200
Fax: 607-937-3210
www.pathwaysforyou.org

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