

City of Oneonta

Title VI Plan



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CITY OF ONEONTA – ONEONTA PUBLIC TRANSIT (OPT) TITLE VI NOTICE TO THE PUBLIC

The City of Oneonta and Oneonta Public Transit (OPT) comply with Title VI of the Civil Rights Act of 1964. The City of Oneonta operates all of its federally-assisted programs and provides public services without regard to race, color, and national origin. Further, the City of Oneonta provides services to the public and does not discriminate on the basis of race, color, national origin or ancestry, religion, religious creed, gender, sexual orientation, age, familial or marital status, military or veteran status, physical or mental disability, genetic information/predisposition or carrier status, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, or any other characteristics protected by applicable federal, state, or local law.

Any person who believes he or she has been subjected to an unlawful discriminatory practice under Title VI may file a complaint with the City of Oneonta by filling out a complaint form. Complaint forms are available at OPT or the Human Resources Department in the Brenner Building in Neahwa Park. Complaints should be made in writing and mailed, emailed, or delivered to:

Joseph Temming, Human Resources Director & Title VI Coordinator
City of Oneonta

Mailing: 258 Main Street, Oneonta, NY 13820
Physical: 24 Bertus Lauren Drive, Oneonta, NY 13820
Email: jtemming@oneonta.ny.us

The City will respond and may request further information with the goal of obtaining an appropriate resolution. Formal complaints may also be initiated by filing a complaint with the Federal Transit Administration Office of Civil Rights or the New York State Division of Human Rights. They can be contacted at the following addresses:

Federal Transit Administration

Office of Civil Rights
Regional Office
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 888-446-4511

NYS Division of Human Rights

Binghamton Regional Office
44 Hawley Street, Room 603
Binghamton, NY 13901
Phone: 518-473-2966
Email: InfoBinghamton@dhr.ny.gov

This notice is posted at the OPT Office (104 Main Street, Oneonta), on all City of Oneonta buses, and at City Hall (258 Main Street, Oneonta).



TITLE VI DISCRIMINATORY CONDUCT COMPLAINT FORM

Title VI of the Civil Rights Act provides that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Oneonta program or activity that receives federal funding. If you have a complaint under Title VI, complete this form and submit it to the City of Oneonta Human Resources Director, Brenner Recreation Building, Neahwa Park, 24 Bertus Laruen Dr, Oneonta, NY 13820. Completing this form in no way deprives you of the right to file a complaint with the U.S. Office of Civil Rights, New York State Division of Human Rights, or the Federal or State courts. ***INFORMATION PROVIDED WILL BE CONFIDENTIALLY MAINTAINED***

I. Complainant Contact Information

Name: _____

Address: _____

Phone / Email: _____

II. Authorized Representative Information

Are you filing this complaint on behalf of another person? Please circle: YES NO

If NO, please skip to section III.

If YES, please indicate your contact information below:

Name: _____

Address: _____

Phone / Email: _____

III. Complaint Basis

Date conduct occurred (on or about): _____

Is the alleged discrimination continuing? Please circle: YES NO

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. If more space is needed, please use the back side of this form or a separate sheet of paper.

Name(s) of person(s) you feel discriminated against you: _____

Name(s) and contact information of any potential witness(es):

I believe that I was discriminated against because of (please check all that apply):

- Race
- Color
- National Origin
- Other: _____

IV. What do you feel the City can do to resolve your complaint?

V. Complaint Filing Information

Have you filed this Complaint with any other federal, state or local agency or with any federal or state court? (Please circle): YES NO

If YES, please indicate to which agency your complaint was submitted: _____

VI. Affirmation

I swear or affirm that I have read the above related facts, as well as any facts which are submitted on attached sheets, and that the statements are true and correct to the best of my knowledge, information and belief.

Signature

Date



CITY OF ONEONTA TITLE VI COMPLAINT PROCESS & PROCEDURE

Instructions to the Public on How to File A Title VI Complaint and Complaint Procedures

The City of Oneonta will process and investigate complaints from individuals alleging discrimination in the City's programs or activities under Title VI of the Civil Rights Act of 1964. Complaints alleging discrimination in programs or activities may be filed pursuant to the following procedures.

How to file a complaint:

Any person who believes that he or she has been discriminated against on the basis of race, color or national origin by the City of Oneonta may file a Title VI complaint, directly or through an authorized representative, by completing and submitting the City of Oneonta's Title VI Complaint Form. The City of Oneonta will investigate complaints received on a timely basis.

Complaint acceptance:

Once the complaint is received, the City of Oneonta will review it to determine whether it has jurisdiction. The complainant will receive an acknowledgement letter within ten (10) days of our receipt of the complaint informing him/her whether the complaint will be investigated by our office. Regulations require the City of Oneonta to respond to, and to investigate Title VI complaints within 90 days of receiving a complaint from the public.

Investigations:

The City of Oneonta will promptly investigate all complaints of alleged discrimination on the basis of race, color or national origin, or any other status protected by State or Federal law, in its services and programs. The City of Oneonta will process and investigate alleged complaints within 90 days of receiving a complete complaint. The City of Oneonta may contact the Complainant if more information is needed to resolve the complaint. The Complainant will have ten (10) business days from the date of contact to send requested information to the City of Oneonta. The City of Oneonta may choose to close the complaint if the requested information is not received within ten (10) business days. A complaint can also be administratively closed if the Complainant no longer wishes to pursue the complaint, or if the complainant fails to cooperate in the investigation of the complaint.

Letters of Findings:

After the investigation is completed, the City of Oneonta will make a final decision and issue one of the following letters to the Complainant based on the investigation findings:

- a. A letter of finding summarizing the allegations and indicating the City of Oneonta did not find a violation of Title VI regulations. This letter closes the case.
- b. A letter of finding summarizing the allegations and indicating the City of Oneonta's services or programs is in violation of Title VI. The letter will also contain a brief description of remedies the City of Oneonta will undertake to achieve compliance.

Right to Appeal:

A Complainant may appeal a final decision resulting from a Title VI investigation by submitting a written appeal to the City of Oneonta no later than ten (10) business days after receipt of the final decision letter. The appeal must be submitted to the Oneonta City Administrator or designee, City Hall, 258 Main Street, Oneonta, NY 13820.

Federal Transit Administration / NYS Division of Human Rights:

A person may also file a complaint directly with the Federal Transit Administration Office of Civil Rights or the New York State Division of Human Rights. They can be contacted at the following addresses:

Federal Transit Administration

Office of Civil Rights
Regional Office
1200 New Jersey Avenue, SE
Washington, DC 20590
Phone: 888-446-4511

NYS Division of Human Rights

Binghamton Regional Office
44 Hawley Street, Room 603
Binghamton, NY 13901
Phone: 518-473-2966
Email: InfoBinghamton@dhr.ny.gov



CITY OF ONEONTA TRANSIT-RELATED TITLE VI COMPLAINT & INVESTIGATIONS LOG

Below is a log of transit-related Title VI investigations, complaints and lawsuits for reporting period _____:

File #	Date	Findings	Status	Actions Taken

I certify that the above information is true and correct to the best of my knowledge.

Name of Title VI Officer

Signature of Title VI Officer

Date



CITY OF ONEONTA PUBLIC PARTICIPATION PLAN

Following is information regarding the City of Oneonta's Public Participation Plan, including information about outreach methods to engage minority and LEP populations.

As an agency which accepts federal financial assistance for our transit department, the City of Oneonta conducts public outreach through a variety of efforts to ensure access for low-income, minority and Limited English Proficiency (LEP) persons. The City of Oneonta utilizes the following methods to achieve this:

- I. Coordination with community, faith-based institutions and other organizations to implement public engagement strategies to reach out to Title VI populations. Our community partners, with whom we work on a continuous basis, include:
 - Otsego County Department of Social Services
 - St. Mary's Church Food Pantry
 - CDO Workforce
 - Opportunities for Otsego (community action agency)
 - Oneonta City School District
 - Springbrook
 - ARC Otsego
 - SUNY Oneonta
 - Hartwick College
 - A.O. Fox Nursing Home
 - Oneonta Housing Authority (Nader Towers and Academy Arms)

- II. Advertisement of services through various sources of free or low-cost media, including:
 - Local newspaper (The Daily Star)
 - Free regional weekly publications (Cooperstown Crier, The Pennysaver)
 - Local radio stations
 - Free community directories (Sweet Home Productions)
 - The City's website
 - Social media



CITY OF ONEONTA LANGUAGE ASSISTANCE PLAN FOR LIMITED ENGLISH PROFICIENCY (LEP) PERSONS

I. INTRODUCTION

The City of Oneonta has developed this *Language Assistance Plan for Limited English Proficiency Persons* has been prepared to address the City of Oneonta's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the City of Oneonta.

This plan lays out the reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided by the City. 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 U.S. Census that they do not speak English well and people who report that they do not speak English at all. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that will be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the City of Oneonta used the four-factor LEP analysis which considers the following factors:

1. The number of LEP persons eligible or likely to be encounter by the City of Oneonta's transit program.
2. The frequency with which LEP persons come in contact with the City of Oneonta transit services.
3. The nature and importance of services provided by the City of Oneonta to the LEP population.
4. Resources available to the City of Oneonta and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis is in the following section.

II. FOUR-FACTOR ANALYSIS

1. **The number or proportion of LEP persons in the service area who may be served or are likely to require City of Oneonta Transit services.**

a). *How LEP persons interact with the City of Oneonta.* LEP persons interact with the City of Oneonta transit services by utilizing the City bus system, and related activities (i.e. appearing in person at the transit office for customer service interactions including purchasing passes, asking questions about routes, etc.).

b). *Identification of LEP communities; assessment of the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group.* There is no large geographic concentration of any type of LEP individuals in the service area for the City of Oneonta. The overwhelming majority of the population speaks only English. According to 2014 LEP.gov data, 1.11% of the population in Otsego County identifies as having limited English proficiency, with 38% speaking Spanish and 24% an Asian language.

c). *The literacy skill of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice.* The Personnel Director interviewed City staff who work in the transit area, who identified Spanish and French as the two main languages spoken by LEP persons with whom the department has contact. City staff have indicated that no requests for interpretation services or translations services have been requested.

d). *Whether LEP persons are underserved by the subrecipient due to language barriers.* The City of Oneonta is the sole provider of City-wide transit services within the City of Oneonta. The services are available to all persons of all backgrounds.

2. The frequency with which LEP persons come into contact with City of Oneonta Transit services.

The City of Oneonta has reviewed transit areas and has assessed major points of contact with the public. These include: the use of bus services, purchasing of passes and tickets, reviewing the City's transit website, and customer service interactions.

The Human Resources Director reviewed the frequency with which OPT staff has had, or could have, contact with LEP persons. This includes reviewing documentation of phone inquiries or in-person visits to a service location, such as the OPT transportation office. City staff have reported that they have received no requests for interpreters and also have reported no requests for translated program documents. The staff reported little overall contact with LEP persons.

3. The nature and importance of services provided by the City of Oneonta to the LEP population.

The City of Oneonta recognizes that public transportation is a vital service, especially for people without access to personal vehicles.

4. The resources available to the City of Oneonta and overall costs to provide LEP assistance.

In the absence of any large geographic concentration of any type of LEP persons in the service area, as well as the overwhelming majority of the population of the City's service area's identification as English-speaking, there are few social, service, professional and leadership organizations within the City of Oneonta service area that focuses specifically on outreach to LEP individuals. Two colleges, each with a foreign language department and many international students, are located within the City. The institutions, Hartwick College and SUNY Oneonta, have been identified as resources which could be utilized in addressing LEP assistance.

III. LANGUAGE ASSISTANCE

A person who does not speak English as his or her primary language and who has a limited ability read, write, speak or understand English may be a Limited English Proficient person and may, therefore, be entitled to language assistance with respect to City of Oneonta transit services.

a). *How the City of Oneonta will identify an LEP person in need of language assistance:*

- Post notice of LEP plan and the availability of interpretation or translation services in languages LEP persons would understand (Spanish and French).
- Transit staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the

occasion arises.

- All City of Oneonta staff will be informally surveyed periodically on their experiences concerning any type of contact with LEP persons during the year, and the plan will be amended as needed.

b). How the City of Oneonta has or will assist those individuals identified to be LEP:

- City staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
- Pictorial route maps and brochures have been created and placed in the transit office location on Main Street, as well as on the City's transit website.
- Implemented a color-coded live-stream route system with pictorial icons, which are easily identifiable to any person, regardless of language abilities. This system is broadcast on a large monitor in the reception area of the transit office.
- The City will have vital documents translated into languages other than English (including French and Spanish). These documents include timetables and fare schedules, as well as Title VI documents (notices detailing the City's Title VI obligations and complaint procedures).
- Volunteer interpreters for Spanish language will be made available and provided within a reasonable time period; Language interpretation will be made accessible for all other languages through a telephone interpretation service, for which the City of Oneonta would be required pay a fee.

IV. STAFF TRAINING

Ensuring proper training of all staff working within the transit program area in regards to the City's Language Assistance Plan, as well as interacting with LEP populations, is a vital part of ensuring that no eligible person is denied access to the City's services. The following training will be provided to all transit staff:

- Information on the Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Information on, and use of, "I Speak" cards
- How to handle a potential Title VI and/or LEP complaint

V. MONITORING

The City of Oneonta will continue to monitor and update this Language Assistance Plan for LEP Persons, as needed or as required.

VII. DISSEMINATION OF CITY OF ONEONTA LANGUAGE ASSISTANT FOR LEP PERSONS PLAN

Signs will be posted at OPT offices and on transit vehicles notifying LEP persons of the LEP Plan and how to access language services. Additionally, training for all program area staff will be conducted pursuant to section IV above.



MEMBERSHIP OF NON-ELECTED COMMITTEES AND COUNCILS

- I. **Statement on racial composition of non-elected committees and councils, the membership of which is selected by the subrecipient.** The City of Oneonta currently does not have any committees and/or councils selected directly by the program areas which receive federal funding. The City's Commission on Community Relations and Human Rights has overall advisory input for all City departments. The Commission is comprised of seven members of the community, appointed by the Mayor. The City of Oneonta, as a matter of policy, does not enquire as to the race of those who serve on voluntary boards and commissions.

- II. **Statement on the process the agency uses to encourage the participation of minorities on such committees.** The City encourages minority participation by outreach to all organizational groups in the community which service the minority community as well as the general public. Additionally, the City utilizes the Commission on Community Relations and Human Rights for public outreach. The Commission was established as a public body by the Common Council through which the citizens of Oneonta may be kept informed of developments in community relations, and through which individuals and groups in the City of Oneonta may be officially encouraged to promote tolerance, acceptance and goodwill toward all people. The Commission holds regular public meetings and readily accepts input on issues impacting the community.