

DELAWARE COUNTY TITLE VI POLICY STATEMENT

As a recipient of federal and state funds, Delaware County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended. The provisions include but are not limited to, prohibiting discrimination (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services and activities) on the grounds of race, color or national origin. 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. § 2000d).

The following Federal Laws and Executive Orders expand the Title VI nondiscrimination mandate:

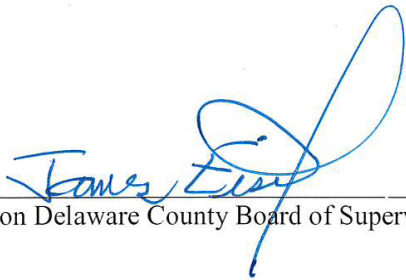
The Civil Rights Restoration Act of 1987 clarified the definition of “programs and activities” covered by the nondiscrimination provisions of civil rights statutes. The revised definition states that discrimination is prohibited throughout an entire agency or institution, if any part of that agency receives Federal financial assistance.

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, school, transportation, and all public and private places that are open to the general public. The purpose of this law is to make sure people with disabilities have the same rights and opportunities as everyone else. The ADA has five titles that relate to different areas of public life.

Executive Order 12898 (Environmental Justice or “EJ”) seeks to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations, and to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

Executive Order 13166 (Limited English Proficiency or “LEP”) ensures individuals whose first language is not English and have a limited capacity to read, write or understand English have meaningful access to programs, information and services by any entity receiving Federal funding.

Delaware County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded. Delaware County’s ADA Compliance Officer or his/her designee is responsible for monitoring the Title VI activities for Delaware County.



Chairperson Delaware County Board of Supervisors

12/7/16
Date



Delaware County ADA Compliance Officer

12/6/2016
Date

Approved as to form:



Delaware County Attorney

12/7/16
Date

ORIGINAL COPY ON FILE

Title VI Information Dissemination

Delaware County's Title VI Policy Statement and Program, including the name and contact information for the Delaware County Title VI Coordinator, will be made available on the County's website at www.co.delaware.ny.us. Additionally, information posters shall be prominently and publicly displayed in Delaware County's facilities.

Title VI information shall be disseminated to Delaware County employees annually, via email and a department mailing. This form reminds employees of Delaware County's policy statement, and of their Title VI responsibilities in their daily work and duties. New employees will be provided with Title VI information during the new employee orientation process.

Title VI Complaint Procedures

Anyone who wishes to make a complaint of discrimination should complete and submit a Title VI Complaint Form (Appendix A), available on the Delaware County website or at the Delaware County Code Enforcement Officer (address below). If the Complaint Form is needed in another language, please contact the Delaware County's ADA Compliance Officer at the address provided below. The Complaint Form must be submitted no later than sixty (60) calendar days from the date of the alleged discrimination to:

Delaware County Compliance Officer, Title VI Coordinator,
Office of Delaware County Code Enforcement Officer
280 Phoebe Lane, Suite 4
Delhi, NY 13753

External complaints alleging discrimination by Delaware County will be forwarded, within 10 (ten) business days of receipt, to the New York State Department of Transportation for review.

For all other complaints, within fifteen (15) days after receipt of the complaint, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will meet with the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the outcome of the County's investigation of the complaint, its conclusion(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable. Where the complainant has limited English proficiency, the Title VI Coordinator will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Title VI Coordinator's response to the complainant.

If the complainant does not believe that the Title VI Coordinator's response satisfactorily resolves the issue, the complainant and/or his/her designee may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson
111 Main Street, Suite 1
Delhi, NY 13753

The Board of Supervisors Chairperson or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from, and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Delaware County Board of Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Where the complainant has limited English proficiency, the Board of Supervisors Chairperson will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Board of Supervisors Chairperson's response to the appeal.

All written complaints received by the Title VI Coordinator and appeals to the Board of Supervisors Chairperson, investigative records, and responses from these two offices will be retained by Delaware County for at least six (6) years.

Delaware County's investigation of the alleged violation of Title VI will commence within thirty (30) days of a complaint being received by Delaware County. The complainant will be timely notified of Delaware County's determination and resolution by the Title VI Coordinator.

A copy of any complaint alleging discrimination by Delaware County will also be forwarded, within ten (10) business days of receipt, to the New York State Department of Transportation for review.

Community Outreach

As a recipient of federal financial assistance, Delaware County makes the following community outreach efforts:

1. The public is invited to attend and participate in the legislative process.
2. Title VI statements are posted in all County facilities for public viewing. (Appendix B)
3. Delaware County has a user-friendly website to enhance community relation efforts. Delaware County's Title VI Plan is/will be available to the community on the website.

APPENDIX A

TITLE VI COMPLAINT FORM

If you believe that you have been subjected to unlawful discrimination (denied the benefits of, access to, or participation in the programs and activities of Delaware County) based on race, color, national origin, sex, age, disability, income or Limited English Proficiency, please provide the following information in order to assist us in processing your complaint, and send completed Complaint Form to:

Delaware County Compliance Officer - Title VI Coordinator
Office of the Code Enforcement Officer
280 Phoebe Lane, Suite 4
Delhi, NY 13753

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code:

Telephone Number: _____ (home) _____ (cell)

Date of alleged discrimination: _____

Alleged discrimination based on:

Race Sex Disability National Origin

Color Age Low Income Limited English Proficiency

Where did the alleged discrimination take place?

APPENDIX B

Narrative for posters to be displayed in Delaware County facilities:

Title VI of the Civil Rights Act of 1964 and subsequent statutes, regulations and executive orders protect individuals from discrimination in programs and activities of Delaware County. Discrimination on the basis of race, color, national origin, sex, age, disability, low income or limited english proficiency status is prohibited.

Delaware County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, national origin, sex, age, disability, low income or Limited English Proficiency status. If you feel that you have been subjected to unlawful discrimination, please submit a complaint in accordance with the Complaint Procedure set forth below

Delaware County's LEP Plan can be found on our website at www.co.delaware.ny.us. Upon request, Delaware County will provide LEP individuals, free of charge, with interpreter or translation services related to a County program or service. Requests for services should be submitted to:

Delaware County Compliance Officer - Title VI Coordinator
Office of the Code Enforcement Officer
280 Phoebe Lane, Suite 4
Delhi, NY 13753

For more information, visit our website at www.co.delaware.ny.us.

Title VI Complaint Procedure

Anyone who wishes to make a complaint of discrimination should complete and submit a Title VI Complaint Form, which is available on the Delaware County website at www.co.delaware.ny.us or to the Office of the Code Enforcer (address below). If the Complaint Form is needed in another language, please contact the Delaware County Title VI Coordinator at the address provided below. The Complaint Form should be submitted no later than sixty (60) calendar days from the date of the alleged discrimination to:

Delaware County Compliance Officer - Title VI Coordinator
Office of Delaware County Code Enforcement Officer
280 Phoebe Lane, Suite 4
Delhi, NY 13753

Within fifteen (15) days after receipt of the complaint, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will meet with the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in a format accessible to the complaint, such as large print, Braille, or audio tape. The response will explain the outcome of the County's investigation of the complaint, its conclusions(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable. Where the complainant has limited

English proficiency, the Title VI Coordinator will arrange for provision of language interpretation services at the initial meeting, and/or for the written translation of the Title VI Coordinator's response to the complainant.

If the complainant does not believe the Title VI Coordinator's response satisfactorily resolves the issue, the complainant may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson
111 Main Street, Suite 1
Delhi, NY 13753

The Chairperson of the Board of Supervisors or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Board of Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Where the complainant has limited English proficiency, the Chairperson of the Board of Supervisors will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Chairperson's response to the appeal.

All written complaints received by the Title VI Coordinator and appeals to the Board of Supervisors Chairperson. Investigative records and responses from these two offices will be retained by Delaware County for at least six (6) years.

Delaware County's investigation of the alleged violation of Title VI will commence within thirty (30) days of the complaint being received by Delaware County. The complainant will be timely notified of Delaware County's determination and resolution by the Title VI Coordinator.

A copy of any complaint alleging discrimination by Delaware County will also be forwarded, within 10 (ten) business days of receipt, to the New York State Department of Transportation for review.

**DELAWARE COUNTY
GRIEVANCE PROCEDURE UNDER
THE AMERICANS WITH DISABILITIES ACT**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination or retaliation on the basis of disability in the provision of services, activities, programs, or benefits by Delaware County. Delaware County Policy governs employment-related complaints of disability discrimination or retaliation.

Any complaint regarding disability discrimination or retaliation should be in writing and contain information about the alleged discrimination or retaliation such as name, address, phone number of complainant and location, date and description of the problem, and name(s) of all witnesses and persons involved, if any. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Any such complaint should be submitted by the grievant and/or his/her designee as soon as possible after the event, but no later than sixty (60) calendar days after the alleged discrimination or retaliation.

ADA Coordinator
Office of the Code Enforcement Officer
280 Phoebe Lane, Suite 4
Delhi, NY 13753

Within fifteen (15) calendar days after receipt of the complaint, or within a mutually agreed upon timeframe, the ADA Coordinator or his/her designee will meet the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting or within a mutually agreed upon timeframe, the ADA Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the outcome of the County’s investigation of the complaint, its conclusions(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable.

If the complainant does not believe that the ADA Coordinator’s response satisfactorily resolves the issue, the complainant and/or his/her designee may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson
111 Main Street, Suite 1
Delhi, NY 13753

The Chairperson of the Board of Supervisors or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from, and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Board of Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator and appeals to the Chairperson of the Board of Supervisors investigative records, and responses from these two offices will be retained by Delaware County for at least six (6) years.