

Columbia Lighthouse for the Blind



Title VI Program

Title VI of the Civil Rights Act of 1964

Columbia Lighthouse for the Blind

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I. INTRODUCTION

Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C 2000d), 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."

In addition, recipients of public transportation funding from the Federal Transit Administration (FTA) and COG/TPB are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

Columbia Lighthouse for the Blind's Title VI policies and procedures are documented in this program and its appendices and attachments and this document details how **Columbia Lighthouse for the Blind** incorporates nondiscrimination policies and practices in providing services to the public.


This program will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

II. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Columbia Lighthouse for the Blind is committed to ensuring that no person shall, on the grounds of race, color, national origin, sex or age, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity. **Columbia Lighthouse for the Blind** further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities whether those programs and activities are federally funded or not.

In the event **Columbia Lighthouse for the Blind** distributes Federal funds to another entity, **Columbia Lighthouse for the Blind** will include Title VI language in all written agreements and will monitor for compliance. **Columbia Lighthouse for the Blind's** Title VI Officer is responsible for initiating and monitoring Title VI activities, overseeing the preparation of required reports and overseeing other **Columbia Lighthouse for the Blind** responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.


Signature of Authorizing Official

3/18/2015
Date

Authorities

Title VI of the 1964 Civil Rights Act provides that 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 otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" (June 18, 1970, unless otherwise noted);

Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Programming Assistance and Standards," (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2,

"U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations," (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006).

III. NONDISCRIMINATION ASSURANCE TO COG/TPB

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when COG/TPB submits its annual certifications and assurances to FTA. COG/TPB shall collect Title VI assurances from subrecipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to COG/TPB at the time of grant application and award, **Columbia Lighthouse for the Blind** submits a Nondiscrimination Assurance which addressed compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting the assurance, **Columbia Lighthouse for the Blind** confirms to COG/TPB its commitment to nondiscrimination compliance with federal and state requirements.

IV. TITLE VI RIGHTS COMPLAINT FORM AND PROCEDURES

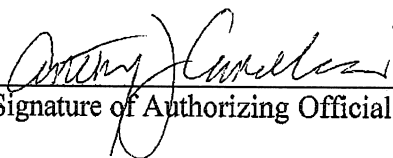
This section addresses:

- Procedures for notifying the public of Title VI rights
- How to file a complaint
- Procedures for handling, tracking, resolving and reporting investigations/complaints and lawsuits

Columbia Lighthouse for the Blind includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

Columbia Lighthouse for the Blind is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964.

For additional information on **Columbia Lighthouse for the Blind's** nondiscrimination policies and procedures or to file a complaint, please visit the website at www.clb.org or contact **Anthony Cancelosi**, 1825 K St. NW, Suite 1103, Washington DC 20006.


Signature of Authorizing Official

3/18/2015
Date

The public is notified of Title VI rights through posters in common areas, the employment application, and the employee handbook. The public can also find complaint filing instructions and forms from the posters in common areas.

Any individual may exercise his or her right to file a complaint with **Columbia Lighthouse for the Blind** if that person believes that s/he or any other program beneficiaries have been subjected **Columbia Lighthouse for the Blind** to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. **Columbia Lighthouse for the Blind** will report the complaint to COG/TPB within three business days (per COG/TPB requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures, as described below. All Title VI complaints and their resolution will be reported annually (in addition to immediately) to COG/TPB.

Should any Title VI investigations be initiated by FTA or COG/TPB, or any Title VI lawsuits be filed against **Columbia Lighthouse for the Blind** the agency will follow these **Nondiscrimination Complaint Procedures**:

Overview

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 (including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components), Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by **Columbia Lighthouse for the Blind** or its sub-recipients, consultants, and/or contractors, intimidation or retaliation of any kind is prohibited by law. They do not apply to complaints related to employment conditions, actions, or decisions reflecting **Columbia Lighthouse for the Blind's** status as employer. Such complaints should be initiated under policies administered by **Columbia Lighthouse for the Blind's** Office of Human Resource Management.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Officer or the appropriate Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Officer will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

1. Any individual or group of individuals who believes he/she or they have been subjected to discrimination prohibited by Title VI nondiscrimination procedures may file a written complaint with **Columbia Lighthouse for the Blind's Anthony Cancelosi**. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s).
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
 - d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy

of the fax or e-mail transmittal for **Columbia Lighthouse for the Blind** to be able to process it.

- e. Complaints received by telephone will be entered into a log listing time, date, and complainant. Complainants will be informed to file a complaint in writing and will be directed to the website or other templates suggesting complaint form.

2. In order to be accepted, a complaint must meet the following criteria:

- a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- b. The allegation(s) must involve a covered basis such as race, color, natural origin, gender, disability, or retaliation.
- c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor, or, in the case of ADA allegations, an entity open to the public.
- d. The complainant(s) must accept reasonable resolution based on **Columbia Lighthouse for the Blind's** administrative authority (reasonableness to be determined by **Columbia Lighthouse for the Blind**).

3. A complaint may be dismissed for the following reasons:

- a. The complainant requests the withdrawal of the complaint.
- b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- c. The complainant cannot be located after reasonable attempts.

4. Once **Columbia Lighthouse for the Blind** or a state or federal agency decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged in the records of **Columbia Lighthouse for the Blind** to identify its basis and alleged harm, and the race, color, national origin, and gender of the complainant.

5. In cases where **Columbia Lighthouse for the Blind** assumes the investigation of the complaint, **Columbia Lighthouse for the Blind** will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of **Columbia Lighthouse for the Blind's** written notification of acceptance of the complaint to furnish his/her response to the allegations.

6. In cases where **Columbia Lighthouse for the Blind** assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, **Columbia Lighthouse for the Blind** will prepare an investigative report for review by its Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

7. **Columbia Lighthouse for the Blind** will notify the parties of its findings.

V. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

SERVING PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13116, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Columbia Lighthouse for the Blind is committed to ensuring meaningful access to its programs and activities by LEP persons. A “four-factor” analysis, developed by the federal government, is used to help determine how to ensure reasonable and meaningful access to **Columbia Lighthouse for the Blind** activities, including:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity or service provided by the program to people’s lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches:

- following our Title VI policy statement included on our vital documents.
- on our website.

- signs posted in our administrative offices.

This program will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.