

Title VI

and other Civil Rights regulations

Plan

Capital District Transportation Committee

Adopted by CDTC Planning Committee

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Michael V. Franchini, Executive Director

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Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC § 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.” The use of the word “person” is important as the protections afforded under Title VI apply to anyone, regardless of whether the individual is lawfully present in the United States or a citizen of a State within the United States. In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC § 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990 (disability). Taken together, these requirements define an over-arching Title VI/Nondiscrimination Program. It is important to also understand that Title VI and the additional Nondiscrimination requirements are applicable to Federal programs in addition to all programs of a recipient of federal funding due to the Civil Rights Restoration Act of 1987.

There are two Presidential Executive Orders that place further emphasis upon the Title VI protections of race and national origin. Executive Order #12898 (Environmental Justice) directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. Executive Order # 13166 (Limited-English-Proficiency) directs federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency persons are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency. Additionally, each federal agency shall ensure that recipients of federal financial assistance provide meaningful access to their Limited-English-Proficiency applicants and beneficiaries. Please note that while an Executive Order has the force of law, a lawsuit may not be brought under an Executive Order.

Title VI Notice/Aviso del Título VI/ 《第六章》 告知书

The Capital District Transportation Committee (CDTC) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its metropolitan transportation planning process on the basis of race, color, national origin, sex, age, disability, or economic status, as protected by Title VI of the Civil Rights Act of 1964 and related statutes and regulations. You may request additional information by contacting CDTC as described below. If you believe you have been subjected to discrimination under Title VI or related statutes or regulations, you may file a complaint to the CDTC by sending your written complaint to Attention: Executive Director, CDTC; 1 Park Place; Colonie, New York 12205, or by sending an e-mail to ej@cdtcmpo.org.

Complaints may also be filed directly with the Federal Highway Administration, at FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; 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 D.C. 20590; or the New York State Department of Transportation, at Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road 6th Floor, Albany New York 12232 or email at OCR-TitleVI@dot.ny.gov.

If information is needed in another language, contact 518-458-2161.

Michael V. Franchini, Executive Director

Date

El Comité de transporte del Distrito Capital (CDTC) se compromete a garantizar que ninguna persona está excluida de la participación en, o negada los beneficios de, su transporte metropolitano planificación proceso sobre la base de raza, color, origen nacional, sexo, edad, discapacidad o condición económica como proporcionar al título VI de la ley de derechos civiles de 1964 y estatutos relacionados. A solicitar información adicional, usted puede contactar con CDTC como se describió debajo. Si usted cree que ha sido sometidos a discriminación bajo el Título VI o estatutos relacionados, usted puede presentar una queja con el CDTC enviando su queja por escrito a la atención: Director Ejecutivo, CDTC, 1 Park Place, Colonie, New York 12205, o enviando un correo electrónico a ej@cdtcmpo.org.

Las quejas pueden ser presentadas también directamente con la Administración Federal de Carreteras, en FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; la Administración Federal de Transito, en Federal Transit Administration Office of Civil Rights, Attention Title VI Program Coordinator, East Building, 5th Floor –TCR, 1200 New Jersey Ave. SE, Washington D.C. 20590; o con el Departamento de Transporte del Estado de Nueva York en Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road 6th Floor, Albany New York 12232 o correo electrónico a OCR-TitleVI@dot.ny.gov.

首都地区交通委员会（CDTC）不遗余力地落实1964《民权法案》第六章及相关法律法规所明确的公民权利，确保任何人在我部门之一切事务中均不因种族、肤色、民族血统、性别、年龄、身心残疾或语言状况而被剥夺都市交通规划工程的参与权及受益权。您可以联系CDTC索取更多信息，具体如下所示。如果您在本部门事务中遭受了《第六章》或相关法律法规所禁止的歧视，您可以通过书面方式向 CDTC 投诉，收信人及地址为：Executive Director, CDTC; 1 Park Place; Colonie, New York 12205 或发送邮件至ej@cdtcmpo.org。

您也可直接向联邦公路管理局投诉，收信人及地址为：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；或投诉至联邦交通管理局民权办公室，收信人及地址为：Title VI Program Coordinator, East Building, 5th Floor -TCR, 1200 New Jersey Ave. SE, Washington D.C. 20590；或投诉至纽约州交通部，收信人及地址为：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road 6th Floor, Albany New York 12232 或发送邮件至OCR-TitleVI@dot.ny.gov。

以上信息如您需要其他语言版本，请联系518-458-2161。

Title VI Coordinator

The Capital District Transportation Committee's Title VI Coordinator is the Executive Director, Michael V. Franchini. He is responsible for Title VI Nondiscrimination activities, instructions, complaints, and reports.

Complaint Procedure

Persons who believe they have been excluded from participation in, or denied the benefits of, the Capital District Transportation Committee's metropolitan transportation planning process on the basis of race, color, national origin, sex, age, disability, or economic status, as protected by Title VI of the Civil Rights Act of 1964 and related statutes and regulations, may file a complaint to the CDTC by sending a written complaint to Executive Director, CDTC, 1 Park Place, Colonie, New York 12205, or by sending an e-mail to ej@cdtcmpo.org.

If information is needed in another language, contact 518-458-2161.

Employee and prospective employee complaints follow CDTC's Administrative Procedures, provided to all employees and otherwise available from CDTC's Title VI Coordinator.

The complainant's identity will only be disclosed with his or her consent. However, we may be unable to investigate allegations without permission to release the complainant's identity and complaint. After the complainant has authorized the release of his/her name, only those persons directly involved in investigating, processing, or providing pertinent information to establish the facts of a complaint will be made aware of its content or details.

CDTC will reply to all complainants and will investigate all complaints over which CDTC has jurisdiction or control.

In addition to or instead of the CDTC procedure, complaints may also be filed directly with the Federal Highway Administration, at FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; 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, D.C. 20590; or the New York State Department of Transportation, at Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, New York 12232 or email at OCR-TitleVI@dot.ny.gov.

PROCEDURE

A formal, written complaint must be filed (see step 2 below) within 30 calendar days of the date the incident occurred or within 30 calendar days of the effective date of the action. The time limits may be extended if the complainant has been prevented by circumstances beyond his/her control from submitting the complaint, within the prescribed period or for other reasons considered sufficient by the CDTC Administrative and Financial Standing Subcommittee.

Step 1: (Optional) Informal Resolution

A person can, if desired, seek an informal (oral) resolution directly with the Executive Director, who is the Title VI Coordinator. The complainant should note that an informal meeting does not count toward the 30 calendar day deadline for initiating a complaint. Only submission of a formal written complaint within the 30 calendar day deadline will meet the CDTC deadline for initiation of a complaint.

Step 2: Filing of Complaint

A person formally initiates the complaint procedure by filing in writing a complaint with the Executive Director.

The complaint shall be submitted on the following form and should be as complete as possible, but must include the person's name and contact information, the date of the incident, the identity of the person, program or service that caused the complaint, the basis of the discrimination, and the signature of the person complaining. Upon request, complaints may be received in alternate formats by persons with disabilities.

All complaints against CDTC will not be investigated by CDTC, but will be forwarded to NYSDOT within 10 business days.

A written finding of the merits of the complaint, and remedial actions will be sent to the complainant within 30 calendar days of the filing of the complaint.

Step 3: Appeal of Finding

The complainant has the right to appeal the finding. The appeal is sent to the chairperson of the CDTC Administrative and Financial Standing Subcommittee (A&F). The appeal should include the original complaint as well as an explanation of why the finding and any recommended remedial actions are unsatisfactory.

The chairperson of the A&F Subcommittee will appoint a committee, composed of at least three (3) A&F members, to investigate the appeal. The committee will report its findings and recommendations to the full A&F Subcommittee within sixty (60) calendar days of receiving the appeal. The A&F Subcommittee will then render its decision.

This decision is the final decision within the CDTC structure. Any further action on the complaint must be through the Federal Highway Administration, at FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; 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, D.C. 20590; or the New York State Department of Transportation, at Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, New York 12232 or email at OCR-TitleVI@dot.ny.gov.

CAPITAL DISTRICT TRANSPORTATION COMMITTEE TITLE VI COMPLAINT FORM				
Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			☐ Yes*	☐ No
*If you answered "yes" to this question, go to Section III.				
Please supply the name and relationship of the person for whom you are complaining:		Name: Your relationship:		
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the complainant if you are filing on behalf of a third party.			☐ Yes	☐ No
Section III:				
I believe the discrimination I experienced was based on (check all that apply): ☐ Race ☐ Color ☐ National Origin ☐ Sex, ☐ Age ☐ Disability ☐ Economic Status ☐ Other Date of Alleged Discrimination (Month, Day, Year): _____				
On a separate sheet, explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses.				
May we release your identity and a copy of your complaint to the entity against whom you are complaining? Note: We may be unable to investigate your allegations without permission to release your identity and complaint.			☐ Yes	☐ No
Section IV:				
Have you previously filed a Title VI complaint with CDTC?			☐ Yes	☐ No
Section V:				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? ☐ Yes ☐ No				
If yes, check all that apply: ☐ Federal Agency ☐ Federal Court ☐ State Agency ☐ State Court ☐ Local Agency				
Please provide information about a contact person at the agency/court where the complaint was filed.				
Name:				
Title:				
Agency:				
Address:				
Telephone:				
Signature of Complainant:				

Procedimiento de quejas

Las personas que piensan que han sido excluidas de la participación en, o que se le han negado los beneficios del proceso de planes de transportación metropolitana del Comité de Transportación del Distrito Capital por asuntos de raza, color de piel, país de origen, sexo, edad, discapacidad o estatus económico, son protegidos por el Título VI de la Ley de Derechos de 1964 y pueden hacer una denuncia al CDTC (por sus siglas en inglés) mandando una queja por escrito al Director Ejecutivo, CDTC, 1 Park Place, Colonie, New York 12205 o enviando un correo electrónico a ej@cdtcmpo.org.

Si requiere la información en otro idioma, contacte al 518-458-2161.

Las quejas de empleados y de posibles empleados siguen los Procedimientos Administrativos del CDTC, el cual se les proporciona a todos los empleados y también se encuentra disponible a través del Coordinador del Título VI de CDTC.

La identidad del demandante solo se dará a conocer con su consentimiento. Sin embargo, nosotros quizás no podamos investigar acusaciones sin el permiso de divulgar la identidad y queja del demandante. Después de que el o la demandante autorice la divulgación de su nombre, solo las personas directamente involucradas en investigar, procesar o proporcionar información pertinente para establecer los hechos de la queja recibirán información sobre su contenido o detalles.

CDTC responderá a todos los/as demandantes e investigará todas las quejas sobre la que CDTC tiene jurisdicción o control.

Además de o en vez del procedimiento de CDTC, las quejas también se pueden hacer directamente con la Administración Federal de Autopistas, en la Oficina de Derechos Civiles FHWA, 1200 Avenida Nueva Jersey SE, Washington DC 20590; con la Administración Federal de Transito, en la Oficina de Derechos Civiles de la Administración Federal de Transito, Coordinador del Programa de Atención al Título VI, Edificio Este, 5to piso – TCR, 1200 Avenida New Jersey, SE, Washington, D.C. 20590; o al Departamento de Transportación de Estado de Nueva York, 50 Wolf Road, 6^{to} piso, Albany, Nueva York 12232 o a través de correo electrónico a OCR-TitleVI@dot.ny.gov.

PROCEDIMIENTO

Una queja formal debe ser presentada por escrito (mire el paso 2 debajo) en un plazo de 30 días desde la fecha del incidente o en un plazo de 30 días desde la fecha efectiva de la acción. La fecha límite se puede extender si el o la demandante ha sido prevenido/a de presentar su queja dentro del periodo prescrito por circunstancias que están fuera de su control o por otras razones consideradas suficiente por el Comité Permanente Administrativo y Financiero del CDTC.

1er Paso: (Opcional) Resolución Informal

La persona puede pedir una resolución informal (oral) con el Director Ejecutivo, quien es el Coordinador del Título VI, si así lo desea. El o la demandante debería tener en cuenta que una reunión informal no cuenta para el plazo de 30 días para empezar la demanda. Solo la entrega de una queja formal por escrito dentro del plazo de 30 días cumplirá la fecha límite de CDTC para iniciar la queja.

2do Paso: Presentación de la Demanda

La persona formalmente inicia el procedimiento de queja al presentar una queja por escrito con el Director Ejecutivo.

La queja debe ser presentado de la siguiente manera y debe ser lo más completa posible, pero debe incluir el nombre y la información de contacto de la persona, la fecha del incidente, la identidad de la persona, el programa o servicio que causó la queja, el motive de la discriminación y la firma del o la demandante. A pedido, las quejas pueden ser recibidas en formatos alternativos por personas con discapacidades.

Todas las quejas en contra de CDTC no serán investigadas por CDTC, sino que serán enviadas a NYSDOT dentro de un periodo de 10 días laborales.

Los resultados del motivo de la queja y las acciones para remediarlas se le enviarán al o la demandante dentro de 30 días después de que presente su queja.

3er Paso: Apelación de los Resultados

El o la demandante tiene el derecho de apelar los resultados. La apelación se envía al presidente del Comité Permanente Admirativo y Financiero del CDTC (A&F por sus siglas en inglés). La apelación debe incluir la queja original y una explicación de porqué los resultados y cualquier recomendación de acción para remediarlo no es satisfactoria.

El presidente del Comité A&F designará un comité, compuesto de por lo menos tres (3) miembros del A&F para investigar la apelación. El comité reportará sus resultados y recomendaciones por completo al Comité del A&F dentro de sesenta (60) días después de recibir la apelación. El comité del A&F harán la decision.

Esta es la ultima decision dentro de la estructura de CDTC. This decision is the final decision within the CDTC structure. Medidas adicionales sobre la queja deben hacerse a través de la Administración Federal de Autopistas, en la Oficina de Derechos Civiles FHWA, 1200 Avenida Nueva Jersey SE, Washington DC 20590; la Administración Federal de Transito, en la Oficina de Derechos Civiles de la Administración Federal de Transito, Coordinador del Programa de Atención al Título VI, Edificio Este, 5to Piso – TCR, 1200 Avenida New Jersey, SE, Washington, D.C. 20590; o al Departamento de Transportación de Estado de Nueva York, 50 Wolf Road, 6^{to} piso, Albany, Nueva York 12232 o a través de correo electrónico a OCR-TitleVI@dot.ny.gov.

Comité de Transportación del Distrito Capital Formulario de Quejas				
Sección I:				
Nombre:				
Dirección:				
Teléfono (Hogar):			Teléfono (Trabajo):	
Dirección de correo electrónico:				
¿Requisitos para formatos accesibles?	Letra Grande		Cinta de Audio	
	TDD		Otro	
Sección II:				
¿Estás presentando esta queja de tu parte?			☐ Sí*	☐ No
*Si respondiste "sí" a esta pregunta, ve a la Sección III.				
Favor de dar el nombre y la relación de la persona de la que te estás quejando:		Nombre: Su relación:		
Por favor explique porqué usted está presentando una demanda de parte de otra persona:				
Por favor confirme que usted ha obtenido permiso de parte del o la demandante si usted está llenando de parte de otra persona.			☐ Sí	☐ No
Sección III:				
Yo creo que la discriminación que viví fue motivada por (marque todas las que sean pertinente): ☐ Raza ☐ Color de piel ☐ Nacionalidad ☐ Sexo ☐ Edad ☐ Discapacidad ☐ Estatus Económico ☐ Otro Fecha de la presunta discriminación (Mes, Día, Año): _____				
En otra hoja, explique lo más claro posible lo que pasó y porqué usted cree que fue discriminado. Describa todas las personas que estuvieron involucradas. Incluya el nombre e información de contacto de la persona(s) que le discriminaron (si lo sabe) y los nombres e información de contacto de cualquier testigo.				
¿Podemos compartir su identidad y una copia de su queja con la persona a la que está demandando? Ojo: Nosotros quizás no podamos investigar sus acusaciones sin el permiso de compartir su identidad y su queja.			☐ Sí	☐ No
Sección IV:				
¿Usted ha presentado una queja del Título VI con CDTC anteriormente?			☐ Sí	☐ No
Sección V:				
¿Ha presentado esta queja a otra agencia Federal, Estatal, o local o con cualquier corte Federal o Estatal? ☐ Sí ☐ No				
Si sí, marque todas las que sean pertinente: ☐ Agencia Federal ☐ Corte Federal ☐ Agencia Estatal ☐ Corte Estatal ☐ Agencia Local				
Por favor proporcione la información de contacto de la persona en la agencia/corte donde presentó su queja.				
Nombre:				
Título:				
Agencia:				
Dirección:				
Teléfono:				
Firma de demandante:				

投訴程序

如果您因种族、肤色、民族、性、年、残疾或状况等1964《民权法案》第六章及其相关法律法所保的因素，而被剥夺都市交通计划的参与及受益，您可以向CDTC提起面投，收信人及地址：Executive Director, CDTC, 1 Park Place, Colonie, New York 12205；或送子件至：ej@cdtcmpo.org。

以上信息如您需要其他语言版本，请系518-458-2161。

雇或未来雇按照CDTC管理章投。相程序已提供所有工，需要也可以从CDTC《第六章》取。

投人的身份信息只有在征得其本人同意后才会披露。但是，如果投人不同意披露身份和投情，我可能无法相的指控。在投人授披露其姓名之后，只有那些直接参与、理或提供相关信息以投事的人才能知道具体内容或。

所有投CDTC收到后均予以回复，有管或控制的所有投，CDTC将直接予以。

除了CDTC程序外，有关情况也可以直接向邦公路管理局民公室投，收信人及地址：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；或投至邦交通管理局民公室，收信人及地址：Title VI Program Coordinator, East Building, 5th Floor -TCR, 1200 New Jersey Ave.SE, Washington D.C. 20590；或投至州交通部，收信人及地址：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road 6th Floor, Albany New York 12232 或送子件至 OCR-TitleVI@dot.ny.gov。

程序

投人在事件生之日起 30 个日或生效日期后的 30 个日提交正式的投（下文步 2）。如果投人因无法控制的情况而未能在定期限内或由于CDTC行政和政常小委（A&F）充分的其他原因而未提交投，可延限。

步 1：（可）非正式解

如果当事人愿意，当事人可以直接与《第六章》行主任求非正式（可）解。投人注意，非正式商解不算在30个日内提起了投。CDTC投截止日期要求必在事30个日提交正式面投。

步 2：面投

个人向行主任出面投，正式启投程序。

投以以下表格提交，并尽可能完整，但必包括的投人的姓名和系信息、事件生日、投的人、目或服的身份或名称、投的相歧，以及投人的名。另有供残疾人士使用的替代格式需提供。

CDTC 的所有投不会由 CDTC 行，但将在 10 个工作日内 NYSDOT。

投案情的面果和救行将在提出投后30个日送交投人。

步 3：果上

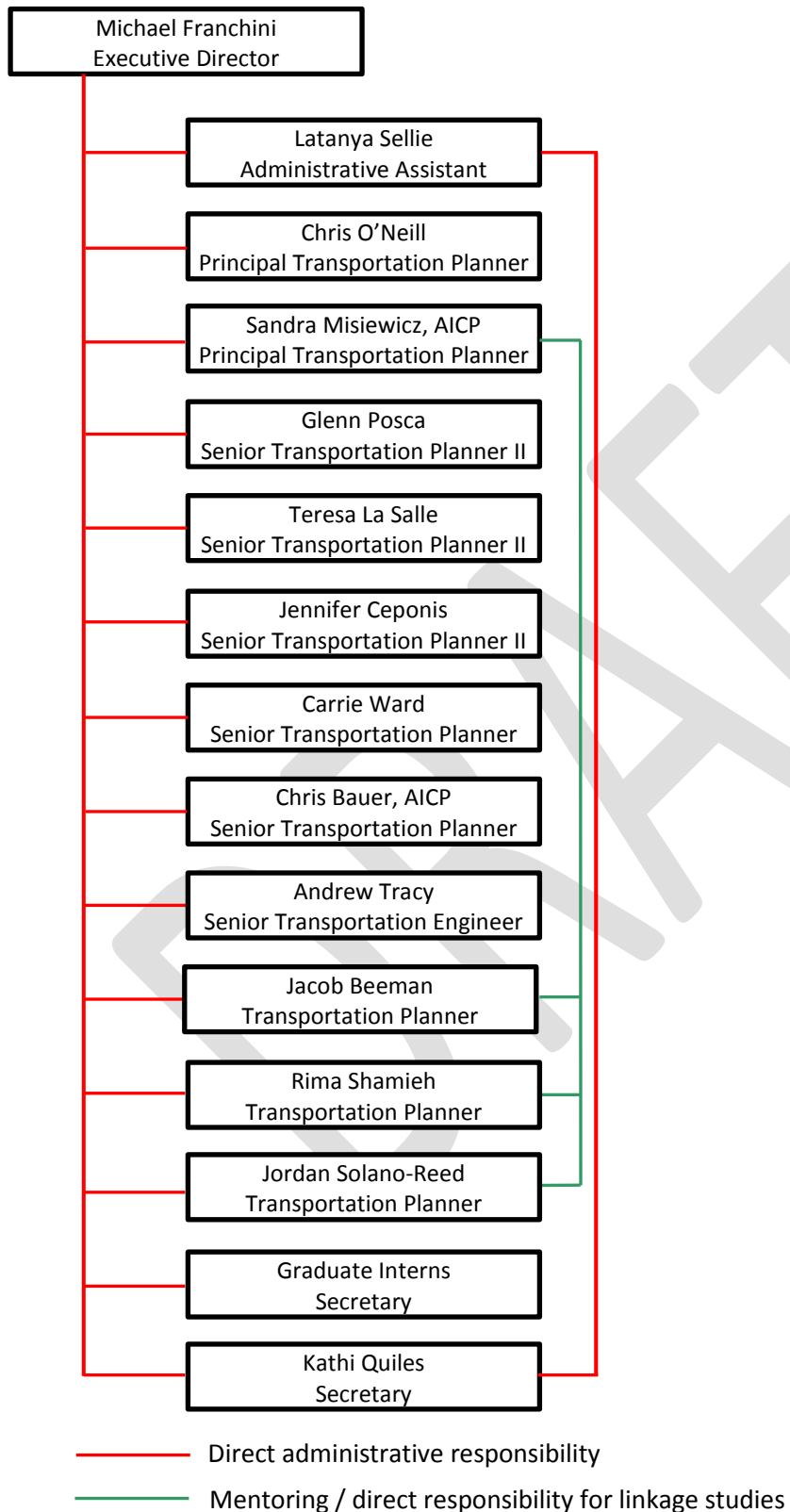
投票人有权利如果提出上诉。上诉将送交CDTC行政和日常小组委员会（A&F）召集人。上诉附原始投票，并解释投票结果和建建议行或不行的原因。

A&F小组委员会召集人将任命一个由至少三（3）名A&F成员组成的委员会来上诉。委员会将在收到上诉的六十（60）个工作日内向全体A&F小组委员会报告其投票结果和建建议。然后，A&F小组委员会将作出决定。

决定CDTC系的最决定。相关投票的更一步行必须直接提交联邦公路管理局民办公室，收信人及地址：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；或提交联邦交通管理局民办公室，收信人及地址：Title VI Program Coordinator, East Building, 5th Floor -TCR, 1200 New Jersey Ave.SE, Washington D.C. 20590；或提交州交通部，收信人及地址：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road 6th Floor, Albany New York 12232 或送电子信件至OCR-TitleVI@dot.ny.gov。

首都地区交通委员会《第六章》投书表				
第一部分：				
姓名/名称：				
地址：				
□□（家庭）：		□□（工作）：		
□子□件地址：				
是否无障碍格式需求？	大字本		□音□	
	TDD		其他	
第二部分：				
您是否□当事人？			[]是*	[]否
[如果您回答“是”，□跳至第三部分]				
当事人姓名及与您的关系		姓名：		
您代表的投书人		与您的关系：		
□□□你代理当事人的理由。				
如果您作□第三方代理当事人，□确□您已□得当事人的授□□可。			[]是	[]否
第三部分：				
我□□我所遭受的歧□是基于（□勾□所有适用□）：				
[]种族 []肤色 []国籍 []性□ []年□ []残疾 []□□状况 []其他				
指控歧□的□生日期（月/日/年）：_____				
在另一□□上，尽可能清楚地□明当□的事情□□，以及您□□受到了歧□的原因。描述当□所有相关的参与人□。□附上歧□您的人的姓名和□系信息（如果已知），以及所有□人的姓名和□系信息。				
我□可以将您的身份和投书副本□交□您所投书的□位□？注意：如果您不同意披露身份和投书□情，我□可能无法□□相□的指控。			[]是	[]否
第四部分：				
您以前是否向CDTC提起□《第六章》□利投书？			[]是	[]否
第五部分：				
您是否向任何其他□邦、州或地方机构或其他任何□邦或州法院就此事件提起投书或起□？				
[]是 []否				
如是，□□□所有适用□：				
[]□邦机构[]□邦法院[]州机构[]州法院[]地方机构				
□提供投书/□□接受机构/法院的□系人信息。				
姓名/名称：				
名□：				
机构：				
地址：				
□系□□：				
投书人□名：				

Organization Chart (2020)



Capital District Transportation Committee Title VI Assurances

The Capital District Transportation Committee (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT) through the Federal Highway Administration and Federal Transit Administration, it is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory citations hereinafter are referred to as the “Acts” and “Regulations,” respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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,” for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration and Federal Transit Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general assurance, the Recipient hereby agrees with and gives the following Assurances with respect to its Federally assisted programs, including the Transportation Improvement Program and Unified Planning Work Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federally assisted programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Capital District Transportation Committee, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon, or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - (a) for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - (b) for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Capital District Transportation Committee also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing Federal Highway Administration and Federal Transit Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration and Federal Transit Administration. You must keep records, reports, and submit the material for review upon request

to the Federal Highway Administration and Federal Transit Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Capital District Transportation Committee gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Capital District Transportation Committee programs, including the Transportation Improvement Program and Unified Planning Work Program. This ASSURANCE is binding on New York State, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest and any other participants of Capital District Transportation Committee programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Dated

Capital District Transportation Committee
(Recipient)

By: _____
(Signature of Authorized Official)

TITLE VI ASSURANCES APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

(1) **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) **Non-discrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration or Federal Transit Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration or Federal Transit Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration or Federal Transit Administration may determine to be appropriate, including, but not limited to:

- (a) withholding payments to the contractor under the contract until the contractor complies, and/or
- (b) cancelling, terminating or suspending a contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration or Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

TITLE VI ASSURANCES APPENDIX B

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to Assurance 4.

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Capital District Transportation Committee will accept title to the lands and maintain the project constructed thereon in accordance with appropriate legislative authority, the Regulations for the Administration of Federally assisted programs, and the policies and procedures prescribed by the Federal Highway Administration and Federal Transit Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Capital District Transportation Committee all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Capital District Transportation Committee and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Capital District Transportation Committee, its successors and assigns.

The Capital District Transportation Committee, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Capital District Transportation Committee will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction.]*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

TITLE VI ASSURANCES APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Capital District Transportation Committee pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that
1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the Capital District Transportation Committee will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the [lease, license, permit, etc. had never been made or issued.*

With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Capital District Transportation Committee will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Capital District Transportation Committee and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

TITLE VI ASSURANCES APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Capital District Transportation Committee pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the Capital District Transportation Committee will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the Capital District Transportation Committee will there upon revert to and vest in and become the absolute property of the Capital District Transportation Committee and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

TITLE VI ASSURANCES APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Data Collection

In a partnership with the Capital District Regional Planning Commission, CDTC analyzes residential population data on race, color, national origin, sex, age, disability, and economic status within CDTC's area.

CDTC's Environmental Justice/Title VI Analysis discusses all projects and programs funded through CDTC in relation to minority and economic status to ensure nondiscrimination on these grounds. For the purpose of that analysis, CDTC has considered race, color, and national origin by creating two categories: the population identifying as white only, not Hispanic or Latino; and the population identifying as anything other than white only, not Hispanic or Latino. Economic status is considered by comparing the population with an income below the federally designated poverty line with the population at or above the line. To consider the benefits to these two groups in relation to the projects and programs funded through CDTC, the plan considers the commute patterns of the two groups.

The Environmental Justice/Title VI Analysis also considers the commute patterns by age, disability, and sex. Age is considered in increments to focus on seniors and youth. In addition, CDTC analyzes age and disability in The Coordinated Public Transit-Human Services Transportation Plan for the Capital District.

At a minimum, planning studies funded through CDTC include a statement about the presence of any minority and/or low income populations within the study area. Further consideration of project impacts is taken when necessary.

The evaluation system for the Transportation Improvement Program, as of 2016-2021, includes a measure for Environmental Justice/Title VI that considers the location and purpose of projects in comparison to the location and commute patterns of minority and low-income populations. This system can both add and remove points from a project's total score.

Monitoring

CDTC updates data analysis upon the adoption of new Transportation Improvement Programs, and with updates of the Coordinated Public Transit-Human Services Transportation Plan.

Personnel contacted with Title VI concerns refer those concerns to the Title VI Coordinator. The Title VI Coordinator keeps a record of all informal resolutions including the following: the person's name and contact information; the date of the incident; the identity of the person, program or service that caused the complaint; the basis of the discrimination; and the agreed-upon resolution.

The Title VI Coordinator keeps a record of all formal Title VI complaints with findings, recommended remedial actions, and remedial actions taken.

The Title VI Coordinator maintains records of any appeals to the Administrative & Finance (A&F) Committee, including the appellant's explanation of why the finding and any recommended remedial actions are unsatisfactory, and the A&F Committee's final decision.

Employee and prospective employee complaints follow CDTC's Administrative Procedures. The Title VI Coordinator maintains a record of personnel-related informal resolutions and complaints.

CDTC transmits all records during the FHWA/FTA certification processes and otherwise upon request of CDTA, NYSDOT, FHWA, and/or FTA.

Training

CDTC conducts training for Title VI and related regulations including Limited English Proficiency on a biennial basis. This may occur in partnership with NYSDOT, CDTA, FHWA, and/or FTA, or it may be conducted internally. The Title VI Coordinator maintains data on the frequency of training, locations, number of participants and target audiences.

Public Participation

Adoption of CDTC's Public Participation Policy follows the "reasonable access" procedure as outlined in that Policy and stated below. The Policy clearly states and explains that CDTC's planning process must adhere to the provisions of Title VI. When possible, meeting locations are selected along public bus routes.

To make the public aware of their rights under Title VI program authorities, CDTC publishes its nondiscrimination policy statement to its website, with Policy Board and Planning Committee press releases, and in studies and plans.

"Reasonable access" consists of:

- Utilizing the World Wide Web to display and advertise any project, plan, or program materials for public access.
- Providing information and input opportunities via social media outlets.
- Use of Geographic Information Systems to add visualization and graphic content to plans and documents;
- Mailing and/or e-mailing to a full list of known interested parties of the availability of documents and processes including a deadline for public comment;
- Press releases or public service announcements in the major media to the general public of the availability of the document or plans;
- The deadlines being far enough in the future (30 to 60 days) to allow for reasonable time for thorough review;
- Placement of materials in public libraries in the affected geographic area at the very beginning of the review period. The preferred format for each library may vary.
- Designation of an informed and available staff person to answer inquiries;
- When available, a summary document in accessible formats will be provided (free of charge) to anyone that requests it; and
- Provision of the full document or plan (printing and/or postage charges may apply) to anyone that requests it.

Limited English Proficiency Plan

CDTC released its initial Limited English Proficiency (LEP) Plan in 2017. CDTC will monitor this plan on an ongoing basis for continued applicability, and update when necessary.

Americans with Disabilities Act

CDTC's Self-Evaluation and Transition Plan evaluates its services, policies, and practices and details all necessary changes along with their costs and anticipated completion dates. For public meetings, CDTC will provide or coordinate the provision of auxiliary aids or services and reasonable accommodations upon request by a person with a disability. The request must be made at least seven business days prior to the meeting at which the aids, services, or accommodations are requested.