



Title VI Assurances

and other Civil Rights regulations

Draft for Planning Committee Review and Approval

January 3, 2024

Disclaimer

This document was prepared and published by the Capital Region Transportation Council, the Metropolitan Planning Organization (MPO) for a planning area that includes the counties of Albany, Rensselaer, Saratoga (except for the Town of Moreau and the Village South Glens Falls, which lie within the adjoining MPO region for the Adirondack-Glens Falls Transportation Council) and Schenectady. This report was funded in part through grants from the Federal Highway Administration and the Federal Transit Administration of the U.S. Department of Transportation. The views and opinions of this report do not necessarily state or reflect the official views or policy of the U. S. Department of Transportation.

Capital Region Transportation Council

Title VI and other Civil Rights

Regulations Plan

This document was approved by the Capital Region
Transportation Council's Policy Board and its
Executive Director on [INSERT DATE]

Sandra Misiewicz, AICP
Executive Director

Capital Region Transportation Council
1 Park Place, Suite 101
Albany, NY 12205
Phone: (518) 458-2161
Fax: (518) 729-5764

Email: info@capitalmpo.org
www.capitalmpo.org

Table of Contents

Introduction.....	1
Title VI Coordinator	1
Title VI Notice.....	2
Aviso del Titulo VI.....	2
《第六章》 告知书.....	3
إشعار الباب السادس	3
Complaint Procedure	5
Procedimiento de queja.....	9
投诉程序	13
إجراءات تقديم الشكاوى.....	16
Organization Chart.....	19
Capital Region Transportation Council Title VI Assurances	20
TITLE VI ASSURANCES APPENDIX A	24
TITLE VI ASSURANCES APPENDIX B.....	26
TITLE VI ASSURANCES APPENDIX C.....	28
TITLE VI ASSURANCES APPENDIX D	29
TITLE VI ASSURANCES APPENDIX E	30
Data Collection.....	32
Monitoring.....	32
Training	33
Public Participation.....	33
Limited English Proficiency Plan.....	34
Americans with Disabilities Act.....	34

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 Coordinator

The Capital Region Transportation Council’s Title VI Coordinator is the Executive Director, Sandra Misiewicz, AICP. She is responsible for Title VI nondiscrimination activities, instructions, complaints, and reports.

Title VI Notice

The Capital Region Transportation Council ("Transportation Council") 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 the Transportation Council 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 Transportation Council by sending your written complaint to Attention: Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205 or by sending an e-mail to info@capitalmpo.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 or by sending an e-mail to info@capitalmpo.org.

Sandra Misiewicz, AICP, Executive Director

Date

Aviso del Título VI

El Consejo de Transporte de la Región Capital ("Consejo de Transporte") asume el compromiso de garantizar que ninguna persona sea excluida de la participación en el proceso de planeación del transporte metropolitano, ni se le nieguen sus beneficios, por motivos de raza, color, país de origen, sexo, edad, discapacidad o nivel económico, que son protegidos por el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos y reglamentos relacionados. Para solicitar información adicional, puede comunicarse con el Consejo de Transporte como se describe a continuación. Si considera que ha sido objeto de discriminación de acuerdo con el Título VI o los estatutos o reglamentos relacionados, puede presentar una queja al Consejo de Transporte, enviando su queja por escrito a: Attention: Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205, o bien enviando un correo electrónico a info@capitalmpo.org.

Pueden presentarse quejas directamente a la Administración Federal de Carreteras, en FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; a la Administración Federal de Transporte Público, 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 al 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 bien pueden enviarse por correo electrónico a OCR-TitleVI@dot.ny.gov.

Si se necesita información en otro idioma, llame al teléfono 518-458-2161 o bien enviando un correo electrónico a info@capitalmpo.org.

《第六章》 告知书

首府地区交通委员会（“交通委员会”）致力于确保任何人都不会因种族、肤色、原籍国、性别、年龄、残障或经济状况等受 1964 年《民权法案》第六章以及相关法令法规保护的因素而遭到排斥或否决，无法从委员会的都会交通规划流程中获益。您可以根据下文联系交通委员会，索要其他相关信息。如果您认为自己遭到歧视，情况符合第六章或者相关法令或法规，则可以向交通委员会提出投诉，投诉方式为寄送书面投诉信至：Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205，或发送电子邮件至：info@capitalmpo.org。

还可以直接向这些机构提出投诉：联邦公路管理局，地址：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；联邦运输管理局，地址：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；或者纽约州交通局，地址：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, New York 12232，或发送电子邮件至：OCR-TitleVI@dot.ny.gov。

如欲获得其他语言的相关信息，请联系：518-458-2161 或发送电子邮件至：info@capitalmpo.org。

إشعار الباب السادس

يلتزم مجلس النقل في منطقة العاصمة (يُشار إليه لاحقًا باسم "مجلس النقل") بضمان عدم استبعاد أي شخص من المشاركة في عملية تخطيط النقل الحضري، أو حرمانه من الاستفادة منها على أساس العرق، أو اللون، أو الأصل القومي، أو الجنس، أو العمر، أو الإعاقة، أو الوضع الاقتصادي، كما هو محمي بموجب الباب السادس من قانون الحقوق المدنية لعام 1964 والقوانين واللوائح ذات الصلة. ويمكنكم طلب معلومات

إضافية من خلال الاتصال بمجلس النقل كما هو موضح أدناه. وإذا كنتم تعتقدون أنكم قد تعرضتم للتمييز بموجب الباب السادس، أو القوانين أو اللوائح ذات الصلة، فإنه يمكنكم تقديم شكوى إلى مجلس النقل من خلال إرسال شكاكم المكتوبة إلى عناية: المدير التنفيذي، مجلس النقل في منطقة العاصمة، 1 Park Place, Suite 101, Albany, New York 12205، أو عن طريق إرسال رسالة بريد إلكتروني إلى info@capitalmpo.org.

يمكن أيضا تقديم الشكاوى مباشرة إلى إدارة الطرق السريعة الفيدرالية، في مكتب حقوق الإنسان بإدارة الطرق السريعة الفيدرالية (FHWA)، في العنوان 1200 New Jersey Avenue SE, Washington DC 20590؛ أو إدارة النقل العام الفيدرالية، في مكتب حقوق الإنسان بإدارة النقل العام الفيدرالية، عناية منسق برنامج الباب السادس، المبنى الشرقي، الطابق الخامس - TCR, 1200 New Jersey Ave. SE, Washington D.C. 20590؛ أو وزارة النقل في ولاية نيويورك، في مكتب حقوق الإنسان، في وزارة النقل في ولاية نيويورك، في العنوان 50 Wolf Road 6th Floor, Albany New York 12232 أو إرسال رسالة بريد إلكتروني إلى OCR-TitleVI@dot.ny.gov.

إذا كنتم بحاجة إلى المعلومات بلغة أخرى، فيرجى الاتصال على الرقم 2161-458-518. info@capitalmpo.org، أو عن طريق إرسال رسالة بريد إلكتروني إلى

Complaint Procedure

Persons who believe they have been excluded from participation in, or denied the benefits of, the Capital Region Transportation Council'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 Transportation Council by sending a written complaint to Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205, or by sending an e-mail to info@capitalmpo.org.

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

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.

The Transportation Council will reply to all complainants and will investigate all complaints over which the Transportation Council has jurisdiction or control.

Complaints Involving the Executive Director

If the complaint involves the Transportation Council's Executive Director, a written complaint should be filed within 30 days of the alleged violation to CDTA's Equal Employment Opportunity (EEO) Officer, located at 110 Watervliet Avenue, Albany, NY 12206. Upon receiving a complaint of alleged discrimination, the EEO Officer will make an initial determination as to whether a full investigation is warranted. If so, an investigation and precautionary/remedial measures may be taken.

During the investigation, confidentiality will be maintained to the extent practical. All employees are required to fully cooperate during the course of an investigation, and a failure to cooperate may constitute a violation of this Policy. After the investigation is concluded, the EEO Officer will issue a determination. If it is determined that a violation of this Policy has occurred, CDTA will take immediate action to remedy the situation. A Transportation Council employee who is found to have violated this Policy may be subject to disciplinary action, up to and including termination from employment, and/or remedial measures.

In addition to or instead of the Transportation Council 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.

All Other Complaints

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 Transportation Council's Executive Director.

Step 1: (Optional) Informal Resolution

A person can, if desired, seek an informal (oral) resolution directly with the Transportation Council's Executive Director. 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 Transportation Council 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 Title VI Coordinator (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 the Transportation Council will not be investigated by the Transportation Council 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 a finding issued by the Title VI Coordinator. The appeal should include the original complaint as well as an explanation of why the finding and any recommended remedial actions are unsatisfactory.

The CDTA EEO Officer will submit his or her written findings of the merits of the appeal, and remedial actions, to the Transportation Council and the complainant within sixty (60) calendar days of receiving the appeal.

This decision is the final decision within the Transportation Council 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 REGION TRANSPORTATION COUNCIL 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 the Transportation Council?			☐ 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 queja

Las personas que consideren que han sido excluidas de la participación en el proceso de planeación del transporte metropolitano del Consejo de Transporte de la Región Capital, o que se les han negado sus beneficios, por motivos de raza, color, país de origen, sexo, edad, discapacidad o nivel económico, que son protegidos por el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos y reglamentos relacionados, pueden presentar una queja al Consejo de Transporte enviando una queja por escrito a: Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205, o enviando correo electrónico a info@capitalmpo.org.

Si se necesita información en otro idioma, llame al teléfono 518-458-2161.

La identidad del quejoso solamente se divulgará con su consentimiento. Sin embargo, quizá no podamos investigar las acusaciones sin el permiso para divulgar la identidad del quejoso y la queja. Después de que el quejoso haya autorizado la divulgación de su nombre, solamente se informará sobre el contenido o los detalles de la queja a las personas involucradas directamente en la investigación, el procesamiento o la entrega de información pertinente para establecer los hechos.

El Consejo de Transporte responderá a todos los quejosos e investigará todas las quejas sobre las que tenga jurisdicción o control.

Quejas que impliquen al director ejecutivo

Si la queja implica al director ejecutivo del Consejo de Transporte, deberá presentarse una queja por escrito, dentro de un plazo de 30 días de la presunta infracción, al encargado de igualdad de oportunidades en el empleo (EEO, por sus siglas en inglés) de la CDTA, en sus oficinas en 110 Watervliet Avenue, Albany, NY 12206. Tras recibir una queja por presunta discriminación, el encargado de EEO hará una determinación inicial respecto a si se justifica una investigación completa. De ser así, puede iniciarse una investigación y pueden tomarse medidas precautorias o correctivas.

Durante la investigación, se mantendrá la confidencialidad en la medida de lo posible. Todos los empleados tienen la obligación de cooperar plenamente durante el transcurso de una investigación, y la negativa a cooperar puede constituir una infracción de esta política. Después de terminar la investigación, el encargado de EEO emitirá una determinación. Si se determina que ocurrió una infracción de esta política, la CDTA aplicará de inmediato medidas para remediar la situación. En caso de que se determine que un empleado del Consejo de Transporte infringió esta política, puede ser objeto de medidas disciplinarias que pueden llegar al despido, o de medidas correctivas.

Además del procedimiento del Consejo de Transporte, o en su sustitución, también pueden presentarse quejas directamente a la Administración Federal de Carreteras, en FHWA Office of

Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; a la Administración Federal de Transporte Público, 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 al 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 bien pueden enviarse por correo electrónico a OCR-TitleVI@dot.ny.gov.

Todas las demás quejas

Debe presentarse una queja formal por escrito (ver el paso 2 a continuación) dentro de un plazo de 30 días calendario de la fecha del incidente o dentro de un plazo de 30 días calendario de la fecha de entrada en vigor del acto. Los límites de tiempo pueden extenderse si el quejoso no ha podido presentar la queja dentro del período previsto debido a circunstancias fuera de su control, o por otros motivos que el director ejecutivo del Consejo de Transporte considere suficientes.

Paso 1: Resolución informal (opcional)

Una persona puede, si lo desea, solicitar una resolución informal (oral) directamente al director ejecutivo del Consejo de Transporte. El quejoso debe tomar en cuenta que una reunión informal no cuenta para la fecha límite de 30 días calendario para presentar una queja. Solamente la entrega de una queja formal por escrito dentro del plazo de 30 días calendario satisface la fecha límite del Consejo de Transporte para presentar una queja.

Paso 2: Presentación de la queja

La persona inicia formalmente el procedimiento de queja al presentar una queja por escrito al coordinador del Título VI (director ejecutivo).

La queja debe presentarse en el formulario siguiente y debe estar tan completa como sea posible, y como mínimo 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 provocó la queja, el motivo por el que se considera que existió discriminación y la firma de la persona que presenta la queja. Si se solicita, pueden recibirse quejas de personas con discapacidades en formatos alternativos.

Las quejas en contra del Consejo de Transporte no serán investigadas por el Consejo, sino que se reenviarán al NYSDOT en un plazo de 10 días hábiles.

Se le enviará al quejoso una determinación por escrito de los méritos de la queja y las medidas correctivas en un plazo de 30 días calendario de la presentación de la queja.

Paso 3: Apelación de la determinación

El quejoso tiene derecho a apelar una determinación emitida por el coordinador del Título VI. La apelación debe incluir la queja original y una explicación de por qué se considera que la determinación y las medidas correctivas recomendadas son insatisfactorias.

El encargado de EEO de la CDTA deberá entregar por escrito sus determinaciones sobre los méritos de la apelación, así como las medidas correctivas, al Consejo de Transporte y al quejoso, en un plazo de sesenta (60) días calendario de que se reciba la apelación.

Esta decisión es la decisión definitiva en la estructura del Consejo de Transporte. Cualquier acción adicional referente a la queja debe hacerse por medio de la Administración Federal de Carreteras, en FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590; la Administración Federal de Transporte Público, 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 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 bien puede enviarse por correo electrónico a OCR-TitleVI@dot.ny.gov.

CONSEJO DE TRANSPORTE DE LA REGIÓN CAPITAL FORMULARIO DE QUEJA SEGÚN EL TÍTULO VI				
Sección I:				
Nombre:				
Dirección:				
Teléfono (casa):		Teléfono (trabajo):		
Dirección de correo electrónico:				
¿Necesita un formato accesible?	Letra grande		Cinta de audio	
	TDD		Otro	
Sección II:				
¿Presenta esta queja para sí mismo?			☐ Sí*	☐ No
*Si contestó que sí a esta pregunta, vaya a la sección III.				
Escriba el nombre de la persona por la que presenta la queja y su relación con ella:		Nombre: Su relación:		
Explique por qué presentó la queja por un tercero:				
Confirme que ha recibido el permiso del quejoso, si presenta la queja en nombre de un tercero.			☐ Sí	☐ No
Sección III:				
Considero que la discriminación de la que fui objeto fue motivada por (marque todas las opciones que correspondan): ☐ Raza ☐ Color ☐ País de origen ☐ Sexo ☐ Edad ☐ Discapacidad ☐ Nivel económico ☐ Otra Fecha de la presunta discriminación (mes, día, año): _____				
En una hoja por separado, explique con la mayor claridad posible lo ocurrido y por qué considera que fue objeto de discriminación. Describa a todas las personas involucradas. Incluya los nombres y la información de contacto de las personas que lo discriminaron (si los conoce), así como los nombres y la información de contacto de todos los testigos.				
¿Podemos revelar su identidad y entregar una copia de su queja a la entidad en contra de la que la presentó? Nota: quizá no podamos investigar sus acusaciones sin el permiso para divulgar su identidad y la queja.			☐ Sí	☐ No
Sección IV:				
¿Ha presentado antes una queja de acuerdo con el Título VI al Consejo de Transporte?			☐ Sí	☐ No
Sección V:				
¿Ha presentado esta queja a cualquier otra agencia federal, estatal o local, o a cualquier tribunal federal o estatal? ☐ Sí ☐ No				
Si contestó que sí, marque todas las opciones que correspondan: ☐ Agencia federal ☐ Tribunal federal ☐ Agencia estatal ☐ Tribunal estatal ☐ Agencia local				
Proporcione la información de una persona de contacto en la agencia o el tribunal en donde presentó la queja.				
Nombre:				
Puesto:				
Agencia:				
Dirección:				
Teléfono:				
Firma del quejoso:				

投诉程序

如果有人认为自己因种族、肤色、原籍国、性别、年龄、残障或经济状况等受1964年《民权法案》第六章以及相关法令法规保护的因素而受到排斥或否决，无法从首府地区交通委员会的都会交通规划流程中获益，则可以向交通委员会提出投诉，投诉方式为寄送书面投诉信至：Executive Director, Capital Region Transportation Council, 1 Park Place, Suite 101, Albany, New York 12205，或发送电子邮件至：info@capitalmpo.org。

如欲获得其他语言的相关信息，请联系：518-458-2161。

我们仅在投诉人同意的情况下才会披露其身份。但是，如果没有获得披露投诉人身份和投诉的许可，我们可能无法对投诉指控开展调查。在投诉人同意披露自己的姓名后，我们仅向直接参与调查、处理或提供相关信息来查明投诉实情的人员告知投诉的内容或详情。

交通委员会将向所有投诉人作出回复，并将针对自身拥有管辖权或控制权的所有投诉开展调查。

涉及执行董事的投诉

如果投诉涉及交通委员会的执行董事，则应当在被指控的违规行为发生后30天内向CDTA的平等雇佣机会(EEO)官员寄送书面投诉信，地址：110 Watervliet Avenue, Albany, NY 12206。在收到关于被指控歧视的投诉后，EEO官员将针对是否需要开展完整调查作出初步裁定。如果需要，那么我们会开展调查，并采取预防措施/补救措施。

在调查期间，我们将在可行的情况下尽可能保密。所有雇员在调查过程中都必须完全配合，如不配合，则可能违反本政策。调查结束后，EEO官员将发布裁定结果。如果裁定出现了违反本政策的行为，那么CDTA将立即采取措施对情况进行补救。被裁定违反本政策的交通委员会雇员可能会遭到纪律处罚，最高包括解雇和/或相关补救措施。

除了交通委员会的程序外（或者如果不执行交通委员会的程序），还可以直接向这些机构提出投诉：联邦公路管理局，地址：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；联邦运输管理局，地址：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；或者纽约州交通局，地址：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, New York 12232，或发送电子邮件至：OCR-TitleVI@dot.ny.gov。

所有其他投诉

必须在相关事件发生日期后30个自然日内或者在相关行为的生效日期后30个自然日内提出正式的书面投诉（参见下文步骤2）。如果投诉人因自身无法控制的因素或者其他一些原因（前提是交通委员会的执行董事认可其为充分原因）而无法在规定期限内提出投诉，则时间限制可以延长。

步骤1：（可选）非正式和解

当事人如果希望的话，可以寻求直接与交通委员会的执行董事达成非正式（口头）和解。投诉人应当注意，非正式会面并不计入提出投诉的30个自然日最后期限之内。仅在30个自然日最后期限内提出的正式书面投诉才满足交通委员会关于提出投诉的最后期限要求。

步骤2：提出投诉

当事人向第六章规定的协调员（执行董事）提出书面投诉，从而正式发起投诉程序。

应当用下面的表格提交投诉，并尽可能完整填写，必填内容包括当事人的姓名和联系信息、事件发生日期、当事人的身份、导致投诉的计划或服务、基于什么因素出现了歧视行为以及投诉人的签名。如有要求，身患残障的当事人可以用替代格式提出投诉。

交通委员会不会对任何针对自身提出的投诉开展调查，而是会在10个工作日内将此类投诉移交给NYSDOT。

我们会在投诉提出后30个自然日内向投诉人寄送一份书面调查结果，列出关于投诉的事实情况以及相关补救措施。

步骤3：对调查结果提出上诉

投诉人有权对第六章规定的协调员发布的调查结果提出上诉。上诉内容应当包含原投诉内容，并应当说明为什么对调查结果以及任何建议实施的补救措施感到不满意。

CDTA EEO官员会在收到上诉后的六十(60)个自然日内向交通委员会和投诉人提交自己的书面调查结果，列出上诉的事实情况以及相关的补救措施。

该裁定是交通委员会工作框架内的最终裁定。针对投诉的任何进一步措施都必须通过这些机构来实施：联邦公路管理局，地址：FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590；联邦运输管理局，地址：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；或者纽约州交通局，地址：Office of Civil Rights, New York State Department of Transportation, 50 Wolf Road, 6th Floor, Albany, New York 12232，或发送电子邮件至：OCR-TitleVI@dot.ny.gov。

首府地区交通委员会第六章投诉表				
第一部分：				
姓名：				
地址：				
电话（家庭）：		电话（工作）：		
电子邮件地址：				
是否有无障碍格式方面的要求？	大号字体		录音带	
	TDD		其他	
第二部分：				
您是否代表自己提出该投诉？			☐ 是*	☐ 否
*如果这个问题您回答“是”，请填写第三部分。				
请填写姓名以及 姓名：				
您和投诉当事人之间的关系：		你们之间的关系：		
请说明您为什么要为一个第三方提出投诉：				
如果您代表第三方提出投诉，请确认您是否已经获得了投诉人的许可。			☐ 是	☐ 否
第三部分：				
本人认为本人遭遇的歧视行为是基于这些因素（勾选所有适用项）： ☐ 种族 ☐ 肤色 ☐ 原籍国 ☐ 性别， ☐ 年龄 ☐ 残障 ☐ 经济状况 ☐ 其他 被指控的歧视行为发生日期（格式为月，日，年）：_____				
请另附页尽可能清晰地说明事情发生经过以及为什么您认为自己遭到了歧视。描述所有涉及的人员。列出对您作出歧视行为的人员姓名和联系信息（如已知）以及任何证人的姓名和联系信息。				
我们是否可向您投诉的实体披露您的身份并提供一份您投诉信的副本？注意：如果没有获得披露您身份和投诉的许可，我们可能无法调查您的指控。			☐ 是	☐ 否
第四部分：				
您之前是否向交通委员会提出过第六章规定的投诉？			☐ 是	☐ 否
第五部分：				
您是否向任何其他联邦、州或地方机构或者任何联邦或州法庭提出了该投诉？ ☐ 是 ☐ 否				
如果是，请勾选所有适用项： ☐ 联邦机构 ☐ 联邦法庭 ☐ 州机构 ☐ 州法庭 ☐ 地方机构				
如果向相关机构/法庭提出了投诉，请提供该机构/法庭的联系人信息。				
姓名：				
职位：				
机构：				
地址：				
电话：				
投诉人签名：				

إجراءات تقديم الشكاوى

يحق للأشخاص الذين يعتقدون أنهم قد استُبعدوا من المشاركة في عملية تخطيط النقل الحضري لمجلس النقل في منطقة العاصمة، أو حُرموا من الاستفادة منها على أساس العرق، أو اللون، أو الأصل القومي، أو الجنس، أو العمر، أو الإعاقة، أو الوضع الاقتصادي، كما هو محمي بموجب الباب السادس من قانون الحقوق المدنية لعام 1964 والقوانين واللوائح ذات الصلة، تقديم شكوى إلى مجلس النقل من خلال إرسال شكوى مكتوبة إلى المدير التنفيذي، مجلس نقل منطقة العاصمة، على العنوان 1 Park Place, Suite 101, Albany, New York 12205، أو عن طريق إرسال بريد إلكتروني إلى info@capitalmpo.org.

إذا كنتم بحاجة إلى المعلومات بلغة أخرى، فيُرجى الاتصال على الرقم 518-458-2161.

لن يتم الكشف عن هوية المشتكي إلا بموافقتهم. ومع ذلك، قد نكون غير قادرين على التحقيق في الادعاءات دون الإذن بالإفصاح عن هوية المشتكي وشكواه. فبعد أن يُفوض المشتكي بالإفصاح عن اسمه، سيتم إعلام الأشخاص المباشرين المشاركين في التحقيق، ومعالجة الشكوى، أو توفير المعلومات الضرورية لتحديد حقائق الشكوى فقط بمحتواها أو تفاصيلها.

سيتولى مجلس النقل الرد على جميع المشتكين، وسيحقق في جميع الشكاوى التي يمتلك المجلس ولايتها أو السيطرة عليها.

الشكاوى التي تتضمن المدير التنفيذي

إذا كانت الشكوى تتعلق بالمدير التنفيذي لمجلس النقل، فإنه يجب تقديم شكوى مكتوبة خلال 30 يومًا من وقوع الانتهاك المزعوم إلى مسؤول المساواة في فرص العمل (EEO) في هيئة النقل العام بمنطقة العاصمة (CDTA)، على العنوان 110 Watervliet Avenue, Albany, NY 12206. وعند تلقي شكوى بشأن التمييز المزعوم، سيقوم مسؤول المساواة في فرص العمل بإجراء تحديد أولي بشأن ما إذا كان إجراء تحقيق كامل مبررًا أم لا. وإذا كان الأمر كذلك، فقد يتم اتخاذ تدابير تحقيقية واحترازية/تصحيحية.

سيتم خلال التحقيق الحفاظ على السرية قدر الإمكان. يُطلب من جميع الموظفين التعاون الكامل أثناء سير التحقيق، وقد يُعتبر عدم التعاون مخالفة لهذه السياسة. بعد انتهاء التحقيق، سيصدر مسؤول المساواة في فرص العمل قرارًا. وإذا تم تحديد وقوع انتهاك لهذه السياسة، فستتخذ هيئة النقل العام بمنطقة العاصمة إجراءات فورية لتصحيح الوضع. وقد يخضع موظف مجلس النقل الذي يتبين أنه انتهك هذه السياسة لإجراءات تأديبية، تصل إلى حد الفصل من العمل، و/أو تدابير تصحيحية.

بالإضافة إلى ذلك أو بدلاً من إجراءات مجلس النقل، يمكن أيضًا تقديم الشكاوى مباشرة إلى إدارة الطرق السريعة الفيدرالية (FHWA)، في مكتب الحقوق المدنية بإدارة الطرق السريعة الفيدرالية، 1200 New Jersey Avenue SE, Washington DC 20590؛ أو إدارة النقل العام الفيدرالية، في مكتب حقوق الإنسان بإدارة النقل العام الفيدرالية، عناية منسق برنامج الباب السادس، المبنى الشرقي، الطابق الخامس - TCR, 1200 New Jersey Ave., SE, Washington, D.C. - 20590؛ أو وزارة النقل في ولاية نيويورك، في مكتب الحقوق المدنية، وزارة النقل في ولاية نيويورك، 50 Wolf Road, 6th Floor, Albany, New York 12232، أو البريد الإلكتروني على OCR-TitleVI@dot.ny.gov.

جميع الشكاوى الأخرى

يجب تقديم شكوى كتابية رسمية (راجع الخطوة 2 أدناه) خلال 30 يومًا من تاريخ وقوع الحادثة أو خلال 30 يومًا من تاريخ سريان الفعل. ويمكن تمديد الفترة الزمنية إذا حالت ظروف خارجة عن سيطرة المشتكي دون تقديم الشكوى، خلال الفترة المحددة أو لأسباب أخرى تعتبر كافية من قِبَل المدير التنفيذي لمجلس النقل.

الخطوة 1: (اختياري) الحل غير الرسمي

يمكن للشخص، إذا رغب، البحث عن حل غير رسمي (شفهي) مباشرة مع المدير التنفيذي لمجلس النقل. ويجب على المشتكي العلم بأن الاجتماع غير الرسمي لا يُحتسب ضمن المهلة التي تبلغ 30 يومًا تقويميًا لبدء الشكوى. كما سيُفي تقديم شكوى كتابية رسمية فقط خلال مهلة الـ 30 يومًا تقويميًا بمهلة مجلس النقل لبدء الشكوى.

الخطوة 2: تقديم الشكوى

يبدأ الشخص رسميًا إجراءات الشكوى من خلال تقديم شكوى كتابية إلى منسق الباب السادس (المدير التنفيذي).

ويجب تقديم الشكوى على النموذج التالي، ويجب أن تكون كاملة قدر الإمكان، ولكن يجب أن تتضمن اسم الشخص ومعلومات الاتصال به، وتاريخ الحادثة، وهوية الشخص، والبرنامج أو الخدمة التي تسببت في الشكوى، وأساس التمييز، وتوقيع الشخص المشتكي. يمكن استقبال الشكاوى بتنسيقات بديلة للأشخاص ذوي الإعاقة، عند الطلب.

لن يتم التحقيق في جميع الشكاوى ضد مجلس النقل من قِبَل مجلس النقل، ولكن سيتم تحويلها إلى وزارة النقل في ولاية نيويورك (NYSDOT) خلال 10 أيام عمل.

ومن ثم سيتم إرسال نتائج كتابية لمضمون الشكوى والإجراءات التصحيحية إلى المشتكي خلال 30 يومًا تقويميًا من تقديم الشكوى.

الخطوة 3: الطعن في النتيجة

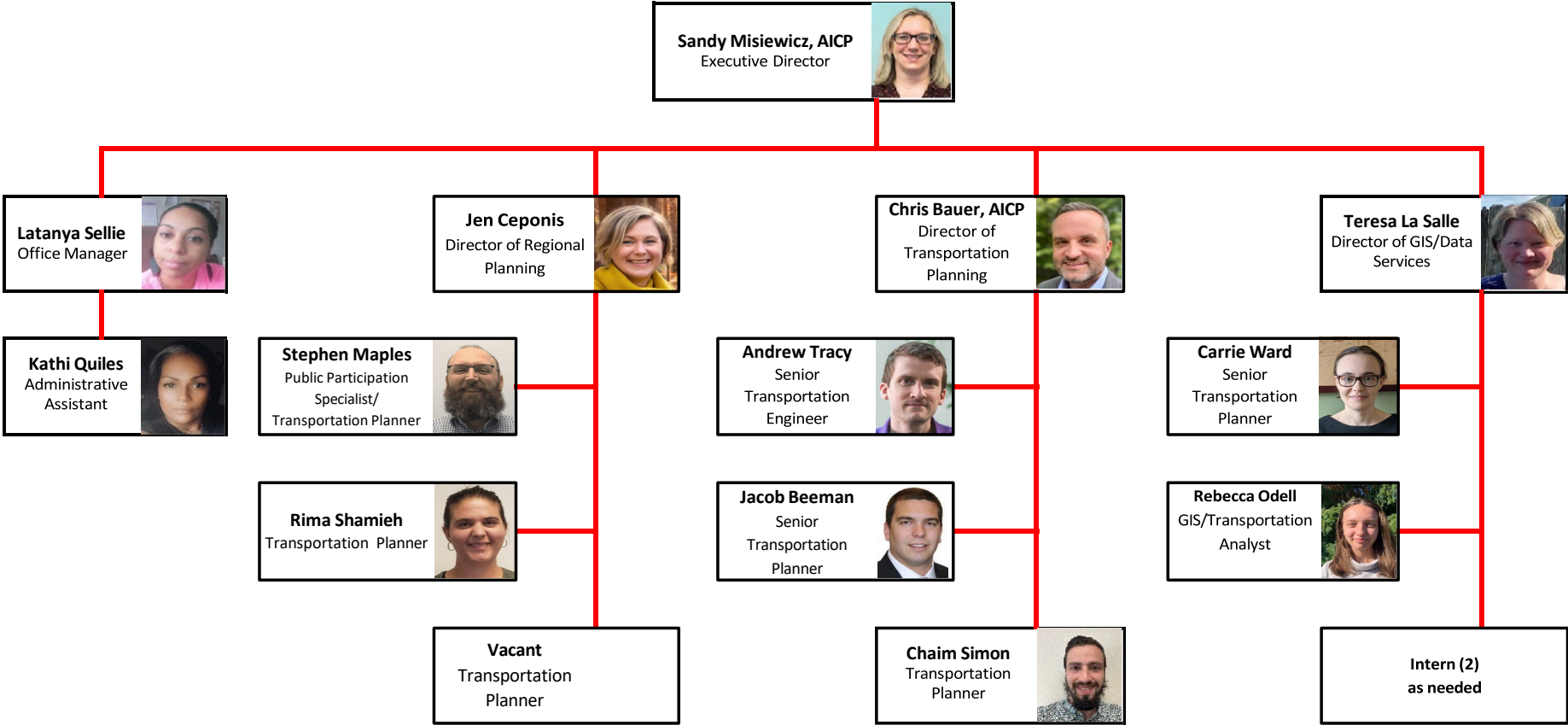
للمشتكي الحق في الطعن في نتيجة صادرة من منسق الباب السادس. ويجب أن يتضمن الطعن الشكوى الأصلية بالإضافة إلى شرح للأسباب التي تجد لأجلها النتيجة وأي إجراءات تصحيحية موصى بها غير مرضية.

سيقدم مسؤول المساواة في فرص العمل (EEO) في هيئة النقل العام بمنطقة العاصمة (CDTA) نتائج المكتوبة بشأن مضمون الطعن والإجراءات التصحيحية، إلى مجلس النقل والمشتكي خلال ستين (60) يومًا تقويميًا من تاريخ تلقي الطعن.

ويُعد هذا القرار هو القرار النهائي ضمن هيكل مجلس النقل. يجب أن تتم أي إجراءات إضافية بخصوص الشكوى من خلال إدارة الطرق السريعة الفيدرالية، في مكتب الحقوق المدنية بإدارة الطرق السريعة الفيدرالية (FHWA)، New Jersey 1200، Avenue SE, Washington DC 20590؛ أو إدارة النقل الفيدرالية، في مكتب حقوق الإنسان بإدارة النقل العام الفيدرالية، عناية منسق برنامج الباب السادس، المبنى الشرقي، الطابق الخامس - TCR, 1200 New Jersey Ave., SE, Washington, D.C. 20590؛ أو وزارة النقل في ولاية نيويورك، في مكتب الحقوق المدنية، وزارة النقل في ولاية نيويورك، 50 Wolf Road, 6th Floor, Albany, New York 12232 أو البريد الإلكتروني على OCR-TitleVI@dot.ny.gov.

نموذج شكوى الباب السادس لمجلس النقل في منطقة العاصمة				
القسم الأول:				
الاسم:				
العنوان:				
الهاتف (المنزل):		الهاتف (العمل):		
عنوان البريد الإلكتروني:				
هل لديك متطلبات للحصول على تنسيق يسهل الوصول إليه؟	طباعة كبيرة	جهاز اتصال لضعاف السمع (TDD)	شريط صوتي	غير ذلك
القسم الثاني:				
هل تقدم هذه الشكوى بالنيابة عن نفسك؟				
*إذا أجبت بـ "نعم" على هذا السؤال، فانتقل إلى القسم الثالث.				
يُرجى تقديم اسم الشخص والعلاقة بالشخص الذي تشتكي بالنيابة عنه: الاسم: علاقتك به:				
يُرجى توضيح سبب تقديمك لشكوى نيابةً عن طرف آخر:				
يُرجى تأكيد أنك حصلت على إذن من المشتكي إذا كنت تقدم شكوى بالنيابة عن طرف آخر.				
القسم الثالث:				
أعتقد أن التمييز الذي تعرّضت له كان بناءً على (حدّد جميع ما ينطبق): [] العرق [] اللون [] الأصل القومي [] الجنس [] العمر [] الإعاقة [] الوضع الاقتصادي [] غير ذلك تاريخ التمييز المزعوم (الشهر، اليوم، السنة):				
على ورقة منفصلة، اشرح بأكبر قدر ممكن من الوضوح ما حدث، ولماذا تعتقد أنك تعرّضت للتمييز. ثم صف جميع الأشخاص المشاركين في الأمر. واحرص على تضمين اسم الشخص (الأشخاص) الذي قام بالتمييز ضدك ومعلومات الاتصال الخاصة به (إذا كانت معروفة)، وكذلك أسماء أي شهود ومعلومات الاتصال الخاصة بهم.				
هل يمكننا الكشف عن هويتك وإرسال نسخة من شكواك إلى الكيان الذي تشتكي ضده؟ ملاحظة: قد نكون غير قادرين على التحقيق في مزاعمك دون إذن للكشف عن هويتك وشكواك.				
القسم الرابع:				
هل قدّمت سابقاً شكوى بموجب الباب السادس لمجلس النقل؟				
القسم الخامس:				
هل قدّمت هذه الشكوى لأي وكالة فيدرالية، أو تابعة لولاية، أو وكالة محلية، أو لأي محكمة فيدرالية أو تابعة للولاية؟ [] نعم [] لا				
إذا كانت الإجابة "نعم"، فحدّد جميع ما ينطبق: [] وكالة فيدرالية [] محكمة فيدرالية [] وكالة تابعة للولاية [] محكمة تابعة للولاية [] وكالة محلية يُرجى توفير معلومات عن جهة الاتصال في الوكالة/المحكمة التي تم تقديم الشكوى إليها.				
الاسم:				
المسمى الوظيفي:				
الوكالة:				
العنوان:				
الهاتف:				
توقيع مُقدّم الشكوى:				

Organization Chart



Capital Region Transportation Council Title VI Assurances

The Capital Region Transportation Council (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 Region Transportation Council, 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Capital Region Transportation Council
(Recipient)

Dated

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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council, its successors and assigns.

The Capital Region Transportation Council, 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 Region Transportation Council 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 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council 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 Region Transportation Council will there upon revert to and vest in and become the absolute property of the Capital Region Transportation Council 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, the Transportation Council analyzes residential population data on race, color, national origin, sex, age, disability, and economic status within the Transportation Council's area.

the Transportation Council's Environmental Justice/Title VI Analysis discusses all projects and programs funded through the Transportation Council in relation to minority and economic status to ensure nondiscrimination on these grounds. For the purpose of that analysis, the Transportation Council 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 the Transportation Council, 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, the Transportation Council analyzes age and disability in The Coordinated Public Transit-Human Services Transportation Plan for the Capital District.

At a minimum, planning studies funded through the Transportation Council 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 2022-2027, 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

The Transportation Council 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 all appeals to the CDTA EEO, including the appellant's explanation of why the finding and any recommended remedial actions are unsatisfactory, the CDTA EEO's written findings of the merits of the appeal, and any new remedial actions given.

Employee and prospective employee complaints follow the procedures outlined in the Transportation Council's Employee Handbook. The Title VI Coordinator maintains a record of personnel-related informal resolutions and complaints.

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

Training

The Transportation Council 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 the Transportation Council's Public Participation Policy follows the "reasonable access" procedure as outlined in that Policy and stated below. The Policy clearly states and explains that the Transportation Council'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, the Transportation Council 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 (25 days minimum unless otherwise legislated in federal law) 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

The Transportation Council released its initial Limited English Proficiency (LEP) Plan in 2017 and adopted updates in 2020 and 2023. The Transportation Council will monitor this plan on an ongoing basis for continued applicability, and update when necessary.

Americans with Disabilities Act

The Transportation Council'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, the Transportation Council 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. See the Transportation Council's [Self-Evaluation and Transition Plan \(2019\)](#) for more information.