



TITLE VI PROGRAM

The Arc/Mercer
180 Ewingville Rd.
Ewing, NJ 08638
www.arcmercer.org

Contact Person for Title VI Program:
Mike Courtney
Director of Transportation
180 Ewingville Rd.
Ewing, NJ 08638
(609)-406-0181
x. 127



The Arc/Mercer is committed to ensuring that no person is excluded from, or denied the benefits of our services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended. Any person who believes that they have, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin, may file a complaint in writing to The Arc/Mercer. To file a complaint, or for more information on The Arc Mercer's obligations under Title VI write to: The Arc Mercer, Inc., Attn: Title VI Compliance Officer, 180 Ewingville Road, Ewing NJ 08638 or visit www.arcmercer.org. Transportation services provided by this agency are in whole or part funded through federal funds received through the Federal Transit Administration and as an individual you also have the right to file your complaint under Title VI to Federal Transit Administration by writing to: Title VI Program Coordinator, East Building, 5th Floor- TCR, US Department of Transportation, FTA, Office of Civil Rights, 1200 NJ Avenue, SE, Washington, DC 20590. A complaint must be filed within 180 days of the alleged discrimination.

The Arc/Mercer Inc.
180 Ewingville Rd.
Ewing, NJ 08638
Attn: Director of Human Resource

The Title VI notice and all associated forms can be found on the website at: www.arcmercer.org, filed in any NJ Transit vehicle log book, at the Occupational Training Vehicle, at each Day program and Residential program filed in the Manger's office, and posted in the reception area at the main building located at 180 Ewingville Rd.

If information is needed in another language, please contact (609) 406-0181
Si se necesita información en otro idioma, contacte 609-406-0181.

如果需要其他语言的信息 · 请联系609-406-0181。609-406-0181

Jeśli informacje są potrzebne w innym języku, skontaktuj się z 609-406-0181.

Si enfòmasyon yo bezwen nan yon lòt lang, kontakte 609-406-0181.

다른 언어로 정보가 필요하면 609-406-0181로 연락하십시오.

Jika informasi diperlukan dalam bahasa lain, hubungi 609-406-0181.



Comercio de Mercer County

Título VI

Política de no discriminación

The Arc/Mercer Inc. opera sus programas y servicios sin distinción de raza, color u origen nacional de acuerdo con el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Cualquier persona que crea que ha sido perjudicada por alguna práctica discriminatoria ilegal bajo el Título VI puede presentar una queja por escrito al Condado de Mercer. Para presentar una queja, o para obtener más información sobre las obligaciones del Condado de Mercer bajo el Título VI, escriba a: 300 Scotch Road, Edificio 1, Trenton, NJ, 08628 o visite <http://www.mercercounty.org/departments/transportation-and-infrastructure/comercio>.

Los servicios de transporte provistos por esta agencia se financian total o parcialmente a través de fondos federales recibidos a través de NJ TRANSIT y, como individuo, usted también tiene derecho a presentar su reclamo tanto en el Condado de Mercer como en la Administración Federal de Tránsito. Las quejas también pueden presentarse por escrito a la Administración Federal de Tránsito y pueden dirigirse a: Coordinador del Programa Título VI, Edificio Este, 5to Piso - TCR, Departamento de Transporte de los Estados Unidos, Administración Federal de Tránsito, Oficina de Derechos Civiles, 1200 New Jersey Avenue, SE, Washington, DC 20590

Si necesita información en otro idioma, comuníquese al 609-406-0181.

Si se necesita información en otro idioma, contacte al 609-406-0181



The Arc/Mercer DISCRIMINATION COMPLAINT PROCEDURES

This section outlines the Title VI complaint procedures related to providing programs, services, and benefits. However it does not deny the complainant the right to file formal complaints with the New Jersey Human Relations Commission, Equal Employment Opportunity Commission, Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance.

General

Any person who believes he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin as noted below may file a written complaint with The Arc Mercer's Human Resources Department of Title VI Coordinator of the specific department concerning the complaint, 180 Ewingville Road, Ewing, New Jersey 08638. Complainants have the right to complain directly to the appropriate federal agency. Every effort will be made to obtain early resolution of complaints. The option of informal meetings between the affected parties and the Title VI Coordinator may be utilized for resolutions. The Human Resources Director will inform the Executive Director of all Title VI related complaints as well as all resolutions. The complainant may also file with the FTA at the following: Title VI Program Coordinator, East Building, 5th Floor- TCR, US Department of Transportation, FTA, Office of Civil Rights, 1200 NJ Avenue, SE, Washington, DC 20590.

PROCEDURE

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The QA Specialist will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.
 - b. Include the date of the alleged act of discrimination, date when the Complainants became aware of the alleged act of discrimination; or the date on which the conduct was discontinued or the latest instance of conduct.



- c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
 - d. Federal and state law requires complaints be filed within 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the Human Resource Director will determine its jurisdiction, acceptability, need for additional information, as well as assign the complaint to the QA Specialist to investigate the merit of the complaint.
3. The Complainant will be provided with written acknowledgement that the Arc Mercer has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The Complainant must be filed within 180 days of the alleged occurrence.
 - b. The allegation must involve a covered basis such as race, color, or national origin.
 - c. The allegation must involve an Arc Mercer service of a Federal aid recipient, sub recipient or contractor.
5. A complaint may be dismissed for the following reasons:
 - a. The Complainant requests withdraw of the complaint.
 - b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The Complainant cannot be located after reasonable attempts.
6. Once the Arc Mercer's Human Resources Department decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged into a database identifying; Complainants name, basis, alleges harm, race, color and national origin of the Complainant.
7. In cases where the Arc/Mercer's Human Resource Department assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Arc Mercer's QA Specialist will prepare an investigative report for review by the Human Resources Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.



8. The investigative report and its findings will be reviewed by the Human Resources Director and in some cases the investigative report and findings will be reviewed by the Arc Mercer's legal counsel. The report will be modified as needed.
9. The Human Resources Director and legal counsel will make a determination on the disposition of the complaint. Dispositions will be stated as part of the record.
10. Notice of the Human Resource Director's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of the Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
 - a. Arc Mercer will reconsider the determination, if new facts come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set for by the Arc/Mercer, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration Title VI Program Coordinator, East Building, 5th Floor- TCR, US Department of Transportation, FTA, Office of Civil Rights, 1200 NJ Avenue, SE, Washington, DC 20590.
11. A copy of the complaint and the Arc Mercer's investigation report/ letter of finding and Final Remedial Action Plan, if appropriate will be issued to the FTA within 1200 days of receipt of the complaint.
12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

RECORD KEEPING REQUIREMENT

The Human Resource Director will ensure that all records relation to The Arc/Mercer's Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.



TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires the "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." (Note: The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.)

For complaints concerning the Section 5307 (Small Urban), Section 5310 (Senior and Persons with Disabilities), Section 5311 (Non- Urbanized), Se

A. Complainant's Information

Name:

Address:

City, State, and Zip Code:

Home Telephone:

Work Telephone:

Cell Phone:

Email Address:

Accessible Format Requirements? (Select one or more)

- Large print
- TDD
- Audio tape
- Other: Please Specify: _____



B. Person Discriminated Against (if different than complainant above)
Name:

Address:

City, State, and Zip Code:

Home Telephone:

Cell Phone:

Email Address:

Relationship to the person for whom you are complaining:

Please explain why you are filing on behalf of person identified in section B :

Please confirm you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

- Yes
- No

C. Which of the following best describes the reason you believe the discrimination took place?

- Race
- Color
- National Origin
- Other: _____



F. Have you filed this complaint with any other federal, state or local agency, or with any federal or state court? Please list all that apply.

Federal agency:

Federal court:

State agency:

State court:

Local agency:

Other:

If you have filed in any of the above, please provide information about the contact person at that agency/court where the complaint was filed.

Name:

Title:

Address:



City, State and Zip Code:

Telephone Number:

Email Address:

G. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Signature: _____

Date: _____

Attachments: YES ___ NO ___

H. Submit form and any additional information to:

The Arc/Mercer Inc.
ATTN: Director of Human Resource
180 Ewingville Rd.
Ewing, NJ 08638



COMERCIO DEL CONDADO DE MERCER

Título VI Formulario de Queja

Nota: La siguiente información es necesaria para ayudarle a procesar su queja.

A. Información del reclamante:

Nombre: _____

Dirección: _____

Ciudad (*): Estado (*): Código postal: _____

Número de teléfono (domicilio): _____

Número de teléfono (trabajo): _____

Dirección de correo electrónico: _____

Requisitos de formato accesible? (Seleccione uno o más)

- Impresión grande
- Servicios de retransmisión
- Cinta de audio
- Otro

B. Persona discriminada (si alguien que no es el demandante):

Nombre: _____

Dirección: _____

Ciudad (*): Estado (*): Código postal: _____

Número de teléfono (casa): _____

Número de teléfono (trabajo): _____

Dirección de correo electrónico: _____

Relación con la persona por la que se queja: _____

Explique por qué ha presentado un tercero: _____



Por favor, confirme que ha obtenido el permiso de la parte agraviada si está presentando en nombre de un tercero.

- Oh si
- O no

C. ¿Cuál de las siguientes opciones describe mejor la razón por la que cree que ocurrió la discriminación?

_____ Race _____ Color _____ National Origin

Otro:

D. ¿En qué fecha (s) tuvo lugar la supuesta discriminación?

- Fecha: _____
- Fecha: _____
- Fecha: _____
- Otros: _____

E. Describa la supuesta discriminación. Explica lo que pasó y quién crees que fue responsable. Describa a todas las personas involucradas. Incluya el nombre y la información de contacto de la persona (s) que discriminó (si se conoce), así como nombres e información de contacto de cualquier testigo. Si necesita espacio adicional, agregue una hoja de papel.



F. ¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal? Enumere todas las que apliquen.

Agencia Federal _____
Corte federal _____
Agencia del estado _____
Tribunal estatal _____
Agencia Local _____

Si ha comprobado anteriormente, proporcione información sobre una persona de contacto en la agencia / tribunal donde se presentó la queja.

Nombre: _____
Título: _____
Dirección: _____
Ciudad (*): Estado (*): Código postal: _____

Número de teléfono (domicilio): _____
Número de teléfono (trabajo): _____
Dirección de correo electrónico: _____

G. Por favor firme abajo. Usted puede adjuntar cualquier material escrito u otra información que

Fecha de firma _____
Adjuntos: SI _____ No _____

H. Envíe el formulario y cualquier información adicional a:

The Arc/Mercer Inc.
ATTN: Director of Human Resource
180 Ewingville Rd



**THE ARC/MERCER, INC – TRANSIT RELATED TITLE VI INVESTIGATION,
LAWUIT, AND/ OR COMPLAINT LOG**

The Arc of Mercer maintains a list of alleged discrimination on the basis of race, color or national origin as part of the DOT's Title VI regulations. The list includes:

- Active investigations conducted by FTA (Federal Transit Administration) and entities other than FTA;
- Lawsuits; and
- Complains naming The Arc of Mercer

	Date	Summary (include basis on complaint: race, color or national origin)	Status	Action(s) Taken
Investigations:				
1.				
2.				
3.				
4.				
5.				
Lawsuits:				
1.				
2.				
3.				
4.				
5.				
Complaints:				
1.				
2.				
3.				
4.				
5.				



PUBLIC PARTICIPATION PLAN UNDER TITLE VI

The Arc/Mercer is committed to informing and involving the public in the planning and delivery of public transportation services in the region. The Agency will work to overcome obstacles that may hinder effective public involvement. Public information and experiences are constantly used to update the plan and improve public participation.

The Arc/Mercer complies with Federal Transit Law 49 United States Code (USC) Chapter 53, Section 5307 (d)(1)(I) by developing a locally written process for soliciting and considering public comment before raising a fare or carrying out a major service reduction. In addition, the following public outreach and participation plan meets the requirements of U.S. DOT Order 5610.2 (a), Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, FTA C 4703.1 Environmental Justice.

The Arc/Mercer employs several means to communicate to the general public regarding the activities it performs including limited-English proficient (LEP) and minority populations. The communication activities may focus in different mediums depending on the program or population affected. These include but are not limited to:

Public Information and Notices

The Arc/Mercer does a lot of outreach to the Intellectual and Developmental Disability (I/DD) community as a whole. The Arc/Mercer participates on the Children's Interagency Coordinating Council (CIACC), County Human Services Advisory Council (CHSAC) and partners with Mercer County Division of Housing and Community Development.

In order for a person to qualify for our transportation services they must participate in a service provided by The Arc. Outreach to the community includes transition fairs, parent workshops, information sessions, community events notices, brochures, and tables regarding the Agency's proposals and programs, including Title VI, how the public can obtain information and make comments, where meetings are to take place, and other applicable information. The notices for public input are posted 30 days in advance so the public has time to consider proposals and make comments. The notice methods include:

- o Press release to local and state media
- o Customer newsletters (print)
- o Website links and articles



- o Social Media posts
- o Transit center advertising
- o Creole and Spanish translation services and translated materials, such as Complaint Forms, on request
- o Newspaper advertisements with publications that serve LEP and minority populations

Meeting Locations

The Agency meets with the public in locations that have convenient access to transit and are centrally located so that anyone in its service area can attend meetings and receive information about any The Arc/Mercer transit related activities that will impact them, especially LEP and minority populations.

Meetings are held at several different times of the day for easier access. All public meeting locations will be accessible to those with disabilities. If notified five (5) days prior to the meeting, language or hearing interpreters will be made available.

Public Meetings, Workshops and Forums

On critical issues such as major service changes and all fare changes, The Arc/Mercer conducts public meetings as needed that utilize public commentary by customers and members of the general public. These meetings are held in centrally located sites throughout the county which are easily accessible by public transportation. The Agency staff will prepare proposals in sufficient detail and make available prior to the meeting for interested individuals. If the proposal involves service changes, maps are made available. Since each customer can be affected differently than another customer, obtaining comments this way allows for an individualized response to an individual's need. In the event that a person cannot attend the meeting but would like to leave a comment to be heard by the public during the meeting, a message can be left at (609) 406-0181 extension 100. This message will be played for the public during the meeting. In addition, any person can request a one on one meeting to discuss any proposed changes. The Agency staff will record public meetings including oral comments. Meetings will have sign-up sheets available and if no one is in attendance, staff will wait for 10 minutes and then announce the reason for the meeting, a statement that no one is in attendance and close the meeting. Materials to be considered at public hearings are made available in hard copy at the Agency's central office (180 Ewingville Road, Ewing NJ 08638) prior to public hearings.

Public meetings, workshops and forum dates will be posted on the Agency website (www.arcmercer.org), social media and if appropriate, through news releases.



Translation services will be available during the public meeting. Vital documents are available in Spanish upon request.

Website: www.arcmercer.org

The Arc/Mercer website contains information about the Agency's projects and programs. This information is updated in a timely manner to reflect upcoming meetings and the most up to date information. It contains contact information for questions, detailed information about the agency, and recent publications.

The Agency also utilizes other social media outlets to ensure that information is dispersed to the widest audience. The Agency has Facebook, Twitter, Instagram, Pinterest, Vimeo and YouTube pages.

The Title VI notice and complaint forms are posted to the agency website under Transportation Services.

Media Outlets

The Arc/Mercer issues new releases as appropriate about Agency programs and actions of interest to the public.

Community Events

The Arc/Mercer regularly holds and participates in community events to increase the outreach of the Agency. The Agency customarily has a table, with banner, and provides information about the Agency's services and receives community feedback.



IMPROVING ACCESS FOR PEOPLE WITH LIMITED ENGLISH PROFICIENCY (LEP)

The Arc/Mercer has conducted this analysis to meet requirements under Title VI of the Civil Rights Act of 1964, which seeks to improve access to services for persons with Limited English Proficiency (LEP). The purpose is to insure that no person 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 from the FTA.

Analysis Using Four Factor Framework

The Arc Mercer has conducted the following analysis using the four factors identified in the DOT LEP Guidance:

Factor 1: The number or portion of LEP persons served or encountered in the eligible service population.

The Arc/Mercer assessed the 2017 US Census Data about LEP persons to determine the number or proportion of LEP persons who may access the Agency's transit services:

1. Potential LEP persons (language other than English spoken at home) in service area (Mercer County): 369,811
2. Total eligible persons in service area (Mercer County, 2014): 1,363
3. Total proportion of LEP persons to the total eligible service population: unable to determine how many eligible persons are also LEP.
4. Total number of adults enrolled in The Arc of Mercer services: 492



Language Spoken	Number that Speak English less than very well	Percentage that Speak English less than very well	Safe Harbor Threshold
Spanish	22,581	6.5%	Over 5%
French Creole	1,904	00.5%	Over 1,000 people
Polish	2,112	00.6%	Over 1,000 people
Other Indic languages	1,086	00.3%	Over 1,000 people
Chinese	3,010	00.8%	Over 1,000 people
Korean	1,051	00.3%	Over 1,000 people

These populations meet the Safe Harbor Threshold for Written materials. The standard also requires oral translation for these populations. These populations may have residence in any township within Mercer County.

Factor 2: The frequency with which LEP persons come into contact with The Arc/Mercer Inc.

The Arc/Mercer provides transportation services to adults with Intellectual and Developmental Disabilities that qualify for services through the Division of Developmental Disabilities (DDD). The majority of these families are English speaking, however a significant minority speak Spanish. Many of these families are able to speak, read and understand English and as a result, do not require a translator.

Since the population of people accessing transportation through The Arc/Mercer are people who attend a Day, Residential or Community programs, intake information (via interview with the family) is available to determine if the family or consumer is LEP. In the event that the person is LEP, translation services are available.

It is difficult to ascertain how many LEP consumer access transportation through The Arc/Mercer on a daily basis because many families that do not speak English have an



English speaking family member that speaks on their behalf. As a result, determining frequency is difficult.

Factor 3: The nature and importance of The Arc/Mercer's activities, programs and services to people's lives.

The activities, programs and services that The Arc/Mercer provides to the community are of utmost importance to the eligible population. Without Day, Residential and Community services, many of the consumers would not have any other way to receive services. Often times, the consumer's ability to receive services have a direct impact on a family member's ability to live and work in the community.

In addition to the services, transportation is a key factor. Without providing transportation services to programs, many consumers would have no way to access these services. Consumers have been known to stay home for months and years on end due to the family's inability to access transportation. They are often unable to access public transportation independently and many of the guardians/care givers do not drive and/or have access to a vehicle.

Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

The Agency's current budget for marketing to or communicating with LEP persons in their language about transit services that are available to them is \$1,000.00. This may include funding for brochures, flyers, posters, newspaper ads, website, translation services, etc.

In addition, the Agency employs many individuals who are fluent in Spanish. The agency maintains a list of employees that are available to interpret a variety of languages.

Staff Training

To ensure effective implementation of this plan, the Transportation department will provide LEP and Title VI training to all relevant current and new employees.

Notice to LEP Persons about Language Assistance



As a matter of policy, all relevant information regarding changes to transportation under Title VI will indicate where to call for additional language assistance. Documents will be made available in Spanish upon request.

Annual Monitoring, Evaluating and Updating Plan

The Arc/Mercer Transportation team will review the Language Assistance Plan (LAP) annually to determine if any changes are necessary. They will monitor the following:

- Annual Census information for target area
- Feedback or requests for additional LEP services
- Effectiveness of the LAP program

**TABLE DEPICTING MINORITY REPRESENTAION ON
TITLE VI ADVISORY TEAM**

	Caucasian	Asian	African American	Hispanic	Other
Population of Service Area	48.8%	11.6%	21.5%	18.1%	0.0%
Agency Title VI Advisory team	37.07%	1.29%	54.31%	7.33%	0.0%



RESOLUTION

WHEREAS, in accordance with Title VI of the Civil Rights Act of 1964 and associated non-discrimination laws, The Arc/Mercer believes that equal opportunity is important for the continuing success of our organization, and does not discriminate on the basis of race, disability, color, religion, gender, age, sexual orientation, national origin, veterans status or any other protected classification, and

WHEREAS, The Arc/Mercer has established an anti-discrimination policy and applies the policy to all its operations, and

WHEREAS, The Arc/Mercer is obligated to submit a comprehensive Title VI Program to the Federal Transit Authority and the public in response to receipt of Federal transportation funds, and

WHEREAS, the Title VI program may be used by any person who believes that he/she has been aggrieved by any unlawful discriminatory practice under Title VI in regards to The Arc/Mercer's transportation services, and

WHEREAS, The Arc/Mercer is submitting for approval to its governing entity the aforementioned Title VI Program, and

NOW, THEREFORE, The Arc/Mercer Board of Director's has considered and determined to approve the Title VI Program as presented

1/8/2020

Date

A handwritten signature in black ink, appearing to read 'Maria Fischer', written over a horizontal line.

Maria Fischer, Board President

The Arc/Mercer

Board of Directors