

Pony Bird, Inc.

AGENCY NAME

Title VI Program

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Attachments

Attachment 1 – Title VI Complaint Form

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A. Title VI Assurances

Pony Bird, agrees to comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 200d *et seq.*, and with U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21.

Pony Bird, assures that no person shall, as provided by Federal and State civil rights laws, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. Pony Bird, Inc. further ensures every effort will be made to ensure non-discrimination in all programs and activities, whether those programs and activities are federally funded or not.

Pony Bird, meets the objectives of the Federal Transit Administration (FTA) Master Agreement which governs all entities applying for FTA funding.

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin.
- B. Identify and address, as appropriate, disproportionately high and adverse effects of programs and activities on minority populations and low-income populations.
- C. Promote the full and fair participation of all affected Title VI populations in transportation decision making.
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- E. Ensure meaningful access to programs and activities by persons with Limited English Proficiency (LEP).

B. Agency Information

- 1. Mission of Pony Bird is to provide quality care to non-ambulatory persons of all ages with significant intellectual and physical disabilities.**

- 2. History - Pony Bird opened its doors in 1977 to ten children who were non-ambulatory with significant intellectual and physical disabilities. Today Pony Bird supports 60 individuals in 6 homes. Pony Bird provides transportation only to those individuals that reside at Pony Bird. Transportation is provided for medical appointments, community integration and community outings.**

- 3. Regional Profile – Pony Bird receives request for services through the Department of Mental Health. Pony Bird provides services to individuals in St. Louis City and the counties of Jefferson, St. Louis, and St. Charles.**

- 4. Population served – Pony Bird only provides transportation to individuals that reside at Pony Bird, Inc.**

- 5. Service area – Pony Bird only provides transportation to the individuals residing at Pony Birds six homes. Individuals are transported to the location as indicated by the need.**

- 6. Governing body make-up – Governed by a volunteer board of directors.**

C. Notice to the Public

Notifying the Public of Rights under Title VI

Pony Bird, Inc., posts Title VI notices on our agency's website, and in public areas of our agency.

Pony Bird, operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.

If you believe you have been discriminated against on the basis of race, color, or national origin by Pony Bird, Inc., you may file a Title VI complaint by completing, signing, and submitting the agency's Title VI Complaint Form.

How to file a Title VI complaint with Pony Bird, Inc.:

1. How to obtain Complaint Form with Pony Bird, Inc. will begin with contacting the Transportation and Community Program Director. The Transportation and Community Program Director can be reached at 636.931.5818 or Diana@ponybird.org.
2. In addition to the complaint process at Pony Bird, complaints may be filed directly with the Federal Transit Administration, Office of Civil Rights, Region, or Pony Bird, Inc. President/CEO.
3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.
4. The form must be signed and dated, and include your contact information.

If information is needed in another language, contact 636.931.5818.

D. Procedure for Filing a Title VI Complaint

Filing a Title VI Complaint

The complaint procedures apply to the beneficiaries of Pony Bird's programs, activities, and services.

RIGHT TO FILE A COMPLAINT: Any person who believes they have been discriminated against on the basis of race, color, or national origin by Pony Bird may file a Title VI complaint by completing and submitting the agency's **Title VI Complaint Form**. Title VI complaints must be received in writing within 180 days of the alleged discriminatory complaint.

HOW TO FILE A COMPLAINT: Information on how to file a Title VI complaint is posted on our agency's website, and in public areas of our agency.

You may request the Title VI Complaint Form from the Transportation and Community Program Director at Pony Bird. Information on how to obtain a Title VI complaint may also be obtained by calling Transportation and Community Program Director at (636)931-5818.

You may file a signed, dated complaint no more than 180 days from the date of the alleged incident. The complaint should include:

- Your name, address and telephone number.
- Specific, detailed information (how, why and when) about the alleged act of discrimination.
- Any other relevant information, including the names of any persons, if known, the agency should contact for clarity of the allegations.

Please submit your complaint form to Transportation and Community Program Director at PO Box 190, Mapaville, MO 63065

COMPLAINT ACCEPTANCE: Pony Bird will process complaints that are complete. Once a completed Title VI Complaint Form is received, Pony Bird will review it to determine if Pony Bird has jurisdiction. The complainant will receive an acknowledgement letter informing them whether or not the complaint will be investigated by Pony Bird.

INVESTIGATIONS: Pony Bird will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, Pony Bird may contact the complainant. Unless a longer period is specified by Pony Bird, the complainant will have ten (10) days from the date of the letter to send requested information to the Pony Bird investigator assigned to the case.

If the requested information is not received within that timeframe the case will be closed. Also, a case can be administratively closed if the complainant no longer wishes to pursue the case.

LETTERS OF CLOSURE OR FINDING: After the Title VI investigator reviews the complaint, the Title VI investigator will issue one of two letters to the complainant: a closure letter or letter of finding (LOF).

- A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- A Letter of Finding (LOF) summarizes the allegations and provides an explanation of the corrective action taken.

If the complainant disagrees with Pony Bird's determination, the complainant may request reconsideration by submitting the request in writing to the Title VI investigator within seven (7) days after the date of the letter of closure or letter of finding, stating with specificity the basis for the reconsideration. Pony Bird will notify the complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, Pony Bird will issue a determination letter to the complainant upon completion of the reconsideration review.

A person may also file a complaint directly with the Federal Transit Administration, at the FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, contact Pony Bird at P.O. Box 190, Mapaville, MO. 63065 or at 6369315818.

**E. Monitoring Title VI Complaints, Investigations, Lawsuits
and Documenting Evidence of Agency Staff Title VI Training**

Documenting Title VI Complaints/Investigations

All Title VI complaints will be entered and tracked in Pony Bird’s complaint log. Active investigations will be monitored for timely response on the part of all parties. The agency’s Transportation Coordinator shall maintain the log.

Agency Title VI Complaint Log

Date complaint filed	Complainant	Basis of complaint R-C-NO	Summary of allegation	Pending status of complaint	Actions taken	Closure Letter (CL)	Letter of Finding (LOF)	Date of CL or LOF

Documenting Evidence of Agency Staff Title VI Training

Pony Bird’s staff is given Title VI training, and agency can answer affirmatively to all the following questions:

1. Are new employees made aware of Title VI responsibilities pertaining to their specific duties?
2. Do new employees receive this information via employee orientation?
3. Is Title VI information provided to all employees and program applicants?
4. Is Title VI information prominently displayed in the agency and on any program materials distributed, as necessary?

F. Public Engagement Plan

Goal

The goal of the Public Engagement Plan is to have significant and ongoing public involvement, by all identified audiences, in the public participation process for major agency outreach efforts.

Objectives

- ☐ To understand the service area demographics and determine what non-English languages and other cultural barriers exist to public participation.
- ☐ To provide general notification of meetings and forums for public input, in a manner that is understandable to all populations in the area.
- ☐ To hold public meetings in locations that are accessible to all area stakeholders, including but not limited to minority and low income members of the community.
- ☐ To provide methods for two-way communication and information and input from populations which are less likely to attend meetings.
- ☐ To convey the information in various formats to reach all key stakeholder groups.

Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by an outreach effort, system or service plan or recommendations of that plan. Stakeholders include but are not limited to the following:

- ☐ Board of Directors – the governing board of the agency. The role of the Board is to establish policy and legislative direction for the agency. The Board defines the agency's mission, establishes goals, and approves then budget to accomplish the goals.
- ☐ Advisory Bodies – non-elected advisory bodies review current and proposed activities of the agency, and are encouraged to be active in the agency's public engagement process. Advisory bodies provide insight and feedback to the agency.
- ☐ Agency Transit riders and clients
- ☐ Minority and low income populations, including limited English proficient persons
- ☐ Local jurisdictions and other government stakeholders
- ☐ Private businesses and organizations
- ☐ Employers
- ☐ Partner agencies

Elements of the Public Engagement Plan

It is necessary to establish a public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations.

Elements of the Public Engagement Plan include:

1. Public Notice

- a. Official notification of intent to provide opportunity for members of the general public to participate in public engagement plan development, including participation in open Board/council meetings, and advisory committees.

2. Public Engagement Process/Outreach Efforts:

- a. Public meetings
- b. Open houses
- c. Rider forums
- d. Rider outreach
- e. Public hearings
- f. Focus groups
- g. Surveys
- h. Services for the Disabled (Notices of opportunities for public involvement include contact information for people needing these or other special accommodations.)

Events such as public meetings and/or open houses are held at schools, churches, libraries and other non-profit locations easily accessible to public transit and compliant with the Americans with Disabilities Act.

3. Public Comment

- a. Formal public comment periods are used to solicit comments on major public involvement efforts around an agency service or system change.
- b. Comments are accepted through various means:
 - b.i. Dedicated email address.
 - b.ii. Website.
 - b.iii. Regular mail.
 - b.iv. Forms using survey tool for compilation.
 - b.v. Videotaping.
 - b.vi. Phone calls to Customer Service Center [phone]

4. Response to Public Input

All public comments are provided to the Board of Directors prior to decision making. A publicly available summary report is compiled, including all individual comments.

G. Language Assistance Plan

Pony Bird's Limited English Proficiency Plan

This limited English Proficiency (LEP) Plan has been prepared to address Pony Bird's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964; Federal Transit Administration Circular 4702.1B, dated October 1, 2012, which states that the level and quality of transportation service is provided without regard to race, color, or national origin.

Executive order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discriminations do not take place. This order applies to all state and local agencies which receive federal funds.

Service Area Description:

Pony Bird, Inc. only provides transportation to the 60 individuals that reside at Pony Bird.

Pony Bird has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Pony Bird, Inc. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, and the ways in which assistance may be provided.

In order to prepare this plan, Pony Bird, Inc. undertook the **four-factor LEP analysis** which considers the following factors:

Four Factor Analysis

1. The number and proportion of LEP persons eligible to be served or likely to be encountered in the service area:

Pony Bird will only provide transportation supports to the individuals that reside at Pony Bird.

2. Frequency of Contact by LEP Persons with Pony Bird’s Services:

Pony Bird supports individuals with severe intellectual disabilities. Approximately 10% of the individuals supported are able to vocalize their needs.

The Pony Bird staff reviewed the frequency with which office staff and drivers have, or could have, contact with LEP persons.

3. The importance of programs, activities or services provided by Pony Bird, Inc. to LEP persons:

Due to the fact that Pony Bird only provides services to individuals residing at Pony Bird there is no outreach activities.

Outside Organization LEP Survey

Organization: _____

- 1. What language assistance needs are encountered?
- 2. What languages are spoken by persons with language assistance needs?
- 3. What language assistance efforts are you undertaking to assist persons with language assistance needs?
- 4. When necessary, can we use these services?

4. The resources available to Pony Bird, Inc. and overall cost to provide LEP assistance:

Strategies for Engaging Individuals with Limited English Proficiency include: Not applicable at this time

Pony Bird, Inc. will provide assistance and direction to LEP persons who request assistance.

Staff LEP Training

The following training will be provided to Pony Bird, Inc. drivers:

1. Information on Pony Bird's Title VI Procedures and LEP responsibilities.
2. Documentation of language assistance requests.

Monitoring and Updating the LEP Plan

The LEP Plan is a component of Pony Bird's Title VI Plan requirement.

Pony Bird, Inc. will update the LEP plan as required. At minimum, the plan will be reviewed and updated every two years. Updates include the following:

1. How the needs of LEP persons have been addressed.
2. Determine the current LEP population in the service area.
3. Determine as to whether the need for, and/or extent of, translation services has changed.
4. Determine whether local language assistance programs have been effective and sufficient to meet the needs.
5. Determine whether Pony Bird's financial resources are sufficient to fund language assistance resources as needed.
6. Determine whether Pony Bird has fully complied with the goals of this LEP Plan.
7. Determine whether complaints have been received concerning Pony Bird's failure to meet the needs of LEP individual.

H. Advisory Bodies
I. Sub recipient Assistance

Sub recipient Assistance

Pony Bird, Inc. does not have any sub recipients.

J. Sub recipient Monitoring

Sub recipient Monitoring

Pony Bird, Inc. does not have any sub recipients.

K. Equity Analysis of Facilities

Pony Bird, Inc. has not constructed any storage facilities, maintenance facilities, or operations centers in the last three years.

Located on Pony Bird's web site is the following:

Pony Bird Inc. operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful, discriminatory practice under Title VI may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation and/or Pony Bird, Inc. President/CEO.

Pony Bird, Inc. TITLE VI COMPLAINT FORM

"No person in the United States shall, on the basis 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."

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:

Transportation and Community Program Director
 Pony Bird, Inc.
 P.O. Box 190
 Mapaville, MO. 63065
 Diana@ponybird.org
 PLEASE PRINT

1. Complainant's Name:		
a. Address:		
b. City:	State:	Zip Code:
c. Telephone (include area code): Home () or Cell ()		Work
() -		() -
d. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
2. Accessible Format of Form Needed? () YES specify: _____ () NO		
3. Are you filing this complaint on your own behalf? () YES If YES, please go to question 7. () NO If no, please go to question 4		
4. If you answered NO to question 3 above, please provide your name and address.		
a. Name of Person Filing Complaint:		
b. Address:		
c. City:	State:	Zipcode:
d. Telephone (include area code): Home () or Cell ()		Work
() -		() -
e. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
5. What is your relationship to the person for whom you are filing the complaint?		
6. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. () YES, I have permission. () NO, I do not have permission.		
7. I believe that the discrimination I experienced was based on (check all that apply): () Race () Color () National Origin (classes protected by Title VI) () Other (please specify)		

continued

TITLE VI COMPLAINT FORM – PAGE 2

8. Date of Alleged Discrimination (Month, Day, Year):
9. Where did the Alleged Discrimination take place?
10. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>
11. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>
12. What type of corrective action would you like to see taken?
13. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? () YES If yes, check all that apply. () NO a. () Federal Agency (List agency's name) b. () Federal Court (Please provide location)

c. () State Court		
d. () State Agency (Specify Agency)		
e. () County Court (Specify Court and County)		
f. () Local Agency (Specify Agency)		
14. If YES to question 14 above, please provide information about a contact person at the agency/court where the complaint was filed.		
Name:	Title:	
Agency:	Telephone: () -	
Address:		
City:	State:	Zip Code:

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

Signature and date is required:

Signature Date _____

If you completed Questions 4, 5 and 6, your signature and date is required:

Signature Date _____

Title VI Self-Survey Form

Date filed with MoDOT Transit Section:

DATE

Survey Date:

Period Covered:

Name of Program/Grant:

- A. Summary of Complaints:
- B. Number of complaints for the period:
- C. Number of complaints voluntarily resolved:
- D. Number complaints currently unresolved:
- E. Attach a summary of any type of complaint and provide:
 - Name of complainant
 - Race
 - Allegation
 - Findings
 - Corrective Action

- Identify any policy/procedure changes made as a result of the complaint.
- Provide the date history (date complaint received through resolution)

Distribution of Title VI Information

1. Are new employees made aware of the Title VI responsibilities pertaining to their specific duties?

YES _____ NO _____

2. Do new employees receive this information via employee orientation?

YES _____ NO _____

3. Is Title VI information provided to all employees and program applicants?

YES _____ NO _____

4. Is Title VI information prominently displayed in the organization and on relevant program materials?

YES _____ NO _____

5. Identify any improvements you have implemented since the last self-survey to support Title VI communication to employees and program applicants.

6. Identify any improvements you plan to implement before the next self-survey to support Title VI communication to employees and program applicants.

7. Identify any problems encountered with Title VI compliance, and discuss possible remedies.

Signature: _____
Title: _____
Date: _____