

Title VI Complaint Procedures and Complaint Form

49 C.F.R. Part 21.1, provides that, “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation.”

In order to comply with Title VI and all of the regulations of 49 C.F.R. Part 21, Port Jervis DAR provides the following complaint procedures for those persons who believe that they have been subjected to discrimination under any program or activity receiving Federal financial assistance from the United States Department of Transportation (USDOT). These procedures do not deny the right of the complainant to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination.

Who do these Title VI procedures apply to?

Title VI applies to any program for which Federal financial assistance is authorized under a law administered by the USDOT. Federal financial assistance includes: grants and Federal loans; the grant or donation of Federal property and interests in property; the detail of Federal personnel; the sale and lease of and the permission to use Federal property or any interest in such property without consideration, or at a nominal consideration, or in recognition of the public interest to be served by such sale or lease to the recipient; any Federal agreement, arrangement or other contract which has as one of its purposes the provision of assistance.

Who may file a Title VI complaint?

A complaint may be filed by any person who believes himself, herself, or any specific class of persons to be subjected to discrimination.

What is discrimination under Title VI?

Discrimination under Title VI of the Civil Rights Act of 1964, as amended, is an act (action or inaction), whether intentional or unintentional, through which a person, solely because of race, color, national origin, has been otherwise subjected to unequal treatment or impact under any program or activity receiving Federal financial assistance from the USDOT.

How and where is a discrimination complaint filed?

A complaint must be in writing, signed by the person(s) or their representative(s) and must include the complainant(s) name, address and telephone number. Attached is a Discrimination Complaint Form that may be used; however, a complaint may also be filed by sending the complaint via facsimile or electronic mail.

A signed written complaint must be filed within 180 days of the date of the alleged discrimination. The signed complaint must be sent to:

Port Jervis DAR
DPW Director

20 Hammond Street
Port Jervis, NY 12771
Phone: (845) 858-4000
Fax: (845) 858-4006
Email address: Dpwdirector@portjervisny.gov

How long will it take for my complaint to be resolved?

The complaint will be reviewed by the DPW Director. When practicable, the complainant shall be notified, in writing, of the findings and remedial action, if any, within a period not to exceed 60 days.

Enclosed are Attachment B – Complaint Form and Attachment D – Flowchart of the Complaint Intake, Monitoring, and Resolution process.

Transit Related Title VI, Complaints, Investigations and Lawsuits

There have been no investigations, complaints, or lawsuits filed with or against Port Jervis DAR for Title VI violations during the past three (3) years.

Public Involvement Process

Port Jervis DAR recognizes the importance of engaging members of the public, particularly those who depend upon public transit services, in planning activities and marketing efforts that reach and inform all current and/or potential transit customers through various strategies and outlets. Port Jervis DAR understands that it is particularly important to make efforts to reach out to and engage members of disadvantaged segments of the community such as lower income, minority, and LEP populations.

Organizational Structure

The structure for engaging with the public is generally two-fold within Orange County: Port Jervis DAR directly interact with riders, while the Orange County Department of Planning (OCDP) serves as the designated coordinating agency and is tasked with planning and implementation. Additionally, OCDP works extensively with the Orange County Transportation Council (OCTC), the Metropolitan Planning Organization (MPO) of Orange County, to provide public notice and participation opportunities to all members of the community.

As it relates to public outreach and participation, Port Jervis DAR is tasked with day-to-day operations and is typically the first interaction as it relates to Title VI complaints and language assistance needs and are pivotal in tracking such interactions.

OCDP, which performs planning and administrative activities, collaborates with Port Jervis DAR via the operator oversight program. This program allows OCDP to coordinate with Port Jervis DAR regarding complaints, language assistance, and day-to-day operations.

Public Outreach Activities

In efforts to involve minority and limited English proficient (LEP) populations in the planning process and to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent