

Title VI Plan



The Oconee County Board of Disabilities and Special Needs – Thursday, December 21, 2023



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1.0 Title VI/Nondiscrimination Policy Statement and Management

Commitment to Title VI Plan

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operates in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

Oconee County Board of Disabilities and Special Needs assures the South Carolina Department of Transportation (SCDOT) that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

Oconee County Board of Disabilities and Special Needs agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against Oconee County Board of Disabilities and Special Needs
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by SDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the primary recipient.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Print Name, Title and Date

Meloney Stokes
Executive Director
December 21, 2023

2.0 Introduction & Description of Services

Oconee County Board of Disabilities and Special Needs submits this Title VI Plan in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidelines of FTA Circular 4702.1B, published October 1, 2012.

Description of the current Services provided by the Oconee County Board of Disabilities and Special Needs are included in Appendix A.

Title VI Liaison

Meloney Stokes
Executive Director
864-885-6069

116 South Cove Road
Seneca, South Carolina 29672

Alternate Title VI Contact:

Steve Hall
Human Resources
864-885-6052

116 South Cove Road
Seneca, South Carolina 29672

Oconee County Board of Disabilities and Special Needs has designated a primary, and alternate liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of activities receiving federal financial assistance. Key responsibilities of the Title VI Liaison include:

2.0

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered by SCDOT or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.
- Investigate and/or resolve Title VI complaints

2.1 First Time Applicant Requirements

Oconee County Board of Disabilities and Special Needs is not a first applicant for SCDOT/FTA Federal Financial Assistance and or Funding.

2.2 ANNUAL CERTIFICATIONS AND ASSURANCES

FTA Circular 4702.1B, Chapter III, and Paragraph 2: Every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with the Title VI regulations.

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

Oconee County Board of Disabilities and Special Needs will remain in compliance with this requirement by annual submission of certifications and assurances as required by SCDOT OPT.

2.3 TITLE VI PLAN CONCURRENCE AND ADOPTION

This Title VI Plan received SCDOT concurrence on. The Plan was approved and adopted by Oconee County Board of Disabilities and Special Needs during an email/approval on Thursday, December 21, 2023. A copy of the email minutes and SCDOT concurrence letter is included in Appendix C of this Plan.

3.0 TITLE VI NOTICE TO THE PUBLIC

FTA Circular 4702.1B, Chapter III, and Paragraph 5: Title 49 CFR 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

3.1 NOTICE TO PUBLIC

Recipients/sub recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow in order to file a discrimination complaint against the grantee/sub-grantee

The sample notice is included in Appendix D of this Plan. The sample notice should be translated into other languages as determined necessary.

3.2 NOTICE POSTING LOCATIONS

The Notice to the Public will be posted at all appropriate locations to apprise the public of Oconee County Board of Disabilities and Special Needs obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of Oconee County Board of Disabilities and Special Needs office(s) including the reception desk and meeting rooms, and on all the Oconee County Board of Disabilities and Special Needs areas.

NOTIFY THE PUBLIC OF RIGHTS UNDER TITLE VI

Oconee County Board of Disabilities and Special Needs

The Oconee County Board of Disabilities and Special Needs operates its programs and services without regards to race, color, and national origin in accordance with Title VI of the Civil Rights Acts. Any person who believes she/he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Oconee County Board of Disabilities and Special Needs.

For more information on the Oconee County Board of Disabilities and Special Needs Title VI program, and the procedures to file a complaint, contact Meloney Stokes, 864-885-6069, email mstokes@thetribblecenter.com, or visit the Administrative office at 116 South Cove Road Seneca, South Carolina 29672

A complaint may be filed directly with The Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Coordinator, East Building, 5th floor-TCR, 1200 Jersey Avenue, SE, Washington, DC 20590.

Oconee County Board of Disabilities and Special Needs website can be found at www.thetribblecenter.com. Additionally, Oconee County Board of Disabilities and Special Needs will post the notice on all/facilities/ buses as applicable.

A sample version of this notice is included in Appendix D of this Plan.

4.0 TITLE VI PROCEDURES AND COMPLIANCE

FTA Circular 4702.1B, Chapter III, Paragraph 6: All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public.

4.1 Complaint Procedure

Once the complaint is received, Oconee County Board of Disabilities and Special Needs will review complaints to determine if their office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by their office.

Oconee County Board of Disabilities and Special Needs will review ninety (90) days to investigate the complaint. If more information is needed to resolve the case, Oconee County Board of Disabilities and Special Needs may contact the complainant. The complainant has ten (10) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, Oconee County Board of Disabilities and Special Needs can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a 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 the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member is needed or other appropriate actions. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on Oconee County Board of Disabilities and Special Needs website: www.thetribblecenter.com

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by Oconee County Board of Disabilities and Special Needs, may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (refer to Appendix A). Oconee County Board of Disabilities and Special Needs will investigate complaints received no more than 180 days after the alleged incident. Oconee County Board of Disabilities and Special Needs will process complaints that are administratively complete.

4.2 COMPLAINT FORM

A copy of the complaint form in English is provided in Appendix E and on Oconee County Board of Disabilities and Special Needs website: www.thetribblecenter.com.

4.3 RECORD RETENTION AND REPORTING POLICY

FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. Oconee County Board of Disabilities and Special Needs will submit an updated Title VI Plans to SCDOT for concurrence any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

4.4 Sub-recipient Assistance and Monitoring

FTA Circular 4702.1B, Chapter III, and Paragraph 11: primary recipients should assist their sub-recipients in complying with DOT's Title VI regulations, including the general reporting requirements.

Oconee County Board of Disabilities and Special Needs does not have any sub-recipients to provide monitoring and assistance. As a sub-recipient to SCDOT, Oconee County Board of Disabilities and Special Needs utilizes the sub-recipient assistance and monitoring provided by SCDOT as needed. In the future, if Oconee County Board of Disabilities and Special Needs obtain sub-recipients, it will provide assistance and monitoring as required by SCDOT and FTA Circular 4702.1B.

4.5 Contractors and Subcontractors:

Oconee County Board of Disabilities and Special Needs does not employ contractors or sub-contractors.

Review of contracts Reference: 49 CFR 26.13(b)

Each contract you sign with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub-recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Contractors and subcontractors are responsible for complying with the Title VI Program of the recipient with whom they are contracting. Contractors are not required to prepare or submit Title VI Programs. Recipients are responsible for ensuring that contractors are following the Title VI Program and complying with Title VI.

5.0 Title VI Investigations, Complaints, and Lawsuits

FTA Circular 4702.1B, Chapter III, Paragraph 7: In order to comply with the reporting requirements of 49 CFR 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations; lawsuits, and complaints naming the recipient.

In accordance with 49 CFR 21.9(b), Oconee County Board of Disabilities and Special Needs must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed, a summary of the allegations, the status of the investigation, lawsuit, or complaint; and actions taken by Oconee County Board of Disabilities and Special Needs in response to and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to SCDOT.

Oconee County Board of Disabilities and Special Needs has not had any investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years.

Table 1: Summary of Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

APPENDIX A

Reporting Requirements

There are many types of recipients of Federal financial assistance: designated recipients and sub recipients. The reporting and monitoring requirements vary depending on what role an entity serves. One entity could be all four types of recipients, and therefore have many different reporting and monitoring requirements.

Oconee County Board of Disabilities and Special Needs will provide the following documentation to South Carolina Department of Transportation Office of Public Transit with their annual certifications and assurances as applicable and upon request:

- Title VI Notice to the Public, including a list of locations where the notice is posted.
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint).
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits.
- Public Participation Plan if applicable, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission.
- Language Assistance Plan if applicable, for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance.
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program.

APPENDIX B
Current System Description

Oconee County Board of Disabilities and Special is a sub-recipient of FTA funds through SCDOT, and provides advocacy services to individuals with Developmental Disabilities, Autism, Head and Spinal Cord Injuries. Services include residential habitation, day activities, work activities, community employment, case management, community supports and early intervention to children from birth to school age. Provide training to parents to assist in their children development. Supply books and materials. Assist families in times of crisis when all other venues of funding have been exhausted.

APPENDIX C

Board Meeting Minutes and SCDOT Concurrence Letter

APPENDIX D

TITLE VI NOTICE OF PROTECTION AGAINST DISCRIMINATION

Oconee County Board of Disabilities and Special Needs operates its programs and services without regard to race, color and national origin. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Oconee County Board of Disabilities and Special Needs.

Individuals wishing to request and/or receive additional information on its discrimination obligations, including its complaint procedures, please contact the person listed below or visit the administrative office at the address listed below:

Meloney Stokes

Executive Director

116 South Cove Road

Seneca, South Carolina 296720

Phone Number: 864-885-6055

Telephone 864-885-6069

Email Address mstokes@thetribblecenter.com

Website www.thetribblecenter.com

Individuals wishing to file a discrimination complaint under Title VI, the written complaint must be filed to the address above within less than 180 days of the alleged discrimination. Written complaints may also be filed with the U.S. Department of Transportation/Federal Transit Administration (FTA) no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA, at the following address:

Federal Transit Administration

Office of Civil Rights

Attention: Complaint Team

East Building, 5th Floor-TCR

1200 New Jersey Ave., S.E.

Washington, DC 20590

To accommodate limited English proficient individuals, oral complaints are to be document and/or translated may also be given at above address.

APPENDIX E

TITLE VI COMPLAINT FORM

SECTION I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?		
Large Print TDD	Audio Tape	Other

SECTION II:		
Are you filing this complaint on your own behalf?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If you answer "yes" to this question, go to Section III.		

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party 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

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happen and why you believe you were discriminate against. Describe all persons who were involved. Include the name and contact information of the persons(s) who discriminated against you (if known) as well as names and contact information of any witness. If more space is needed please use the back of this form.

SECTION IV

Have you previously filed a Title VI complaint with this agency? 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

Federal Agency _____ Federal Court State Court

State Agency []	Local Agency []
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
SECTION VI	
Name of Agency complaint is against:	
Contact Person:	
Title:	
Telephone Number:	

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

Signature and date required below

Signature Date

Please submit this form in person at the address below or mail for to:

Meloney Stokes
 Executive Director
 116 South Cove Road
 Seneca, South Carolina 29672
 Telephone Number 864-885-6055/email address mstokes@thetribblecenter.com