



County of Onondaga
Office of the County Executive

John H. Mulroy Civic Center, 14th Floor
421 Montgomery Street, Syracuse, New York 13202

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Joanne M. Mahoney
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COUNTY EXECUTIVE ORDER NO 4-2016

April 13, 2016

ESTABLISHMENT OF THE ONONDAGA COUNTY TITLE VI, AMERICANS WITH DISABILITIES ACT (ADA) AND LIMITED ENGLISH PROFICIENCY (LEP) PLAN TO ENSURE PROTECTION OF CIVIL RIGHTS AND TO PROVIDE ASSISTANCE AND EFFECTIVE COMMUNICATION FOR PEOPLE WITH DISABILITIES

WHEREAS, the County of Onondaga has always assured that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 as amended, and Executive Order 13166; and

WHEREAS, the County of Onondaga further assures every effort has, is, and will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil rights language in all written agreements and will monitor for compliance; and

WHEREAS, the rights and needs of people with disabilities are matters of vital concern to the County of Onondaga; and

WHEREAS, in order to better recognize the rights and meet the needs of all people who interact with Onondaga County government and programs, it is necessary to provide for greater cooperation, communication, and coordination of functions and services on a county-wide basis;

NOW THEREFORE, by the power vested in me as the County Executive of the County of Onondaga, it is hereby ordered as follows:

Section 1. Title VI, ADA and LEP Plan. The County of Onondaga will implement the attached Title VI, ADA and LEP Plan in order to ensure non-discrimination and equal access in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil



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rights language in all written agreements and will monitor for compliance.

Section 2. Title VI, ADA and LEP Coordinator and Title VI Program Representatives.

- a. The Director of the Onondaga County Human Rights Commission shall be and hereby is appointed to implement the county-wide policy and provisions of the Title VI, ADA and LEP Plan and to establish staff training on the plan. The Director shall also be known as the County's "Title VI, ADA and LEP

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Coordinator" and shall report to and be directly accountable to the Deputy County Executive for Human Services.

- b. The Coordinator shall be assisted in her efforts hereunder by a staff member appointed by the department head of each county department to serve as a "Title VI Program Representative." Within fifteen (15) business days of the date hereof, each department head shall forward the name of the appointed representative, along with the employee's position title and contact information, to the Coordinator, who shall incorporate each name on a list to be included as Appendix H to the county's Title VI, ADA and LEP Plan.

Section 3. Scope of Duties and Authority of the Title VI, ADA and LEP Coordinator. The county Title VI, ADA and LEP Coordinator shall:

- a. Provide in-person training to the Title VI Program Representative from each county department to assist in civil rights compliance, investigations, monitoring, and reporting obligations for each county department.
- b. Acting in conjunction with other county agencies, be responsible for overseeing the implementation of the attached Title VI, ADA and LEP Plan.
- c. Assist department heads and Title VI Program Representatives in coordinating and overseeing county compliance with all federal and state laws concerning the human and civil rights of people interacting with Onondaga County.
- d. Act as the liaison between the County and public and private agencies, organizations and individuals in the development of programs affecting people's civil rights.
- e. Provide a means of communication among people with disabilities and people of protected classes, the County Executive, public and private agencies, and the community at large.



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- f. Assist county agencies in compiling demographic and statistical data regarding the number of people with disabilities, LEP, or of protected classes within the county in order to develop appropriate policies and programs.
- g. Accept, log, investigate, and respond to all complaints or grievances alleging an adverse impact suffered by a person interacting with the County based on a protected factor.
- h. In conducting investigations, the Coordinator is authorized to review documents, systems, and communications, and question employees in order to complete her report and recommendations; and county department management must provide the Coordinator access to same.
- i. Provide assistance to people with civil rights issues through the provision of information and referral services, and by facilitating the resolution of complaints concerning services and the administrative actions of county agencies and others.

Section 4. This Order shall take effect immediately.

signed by county Exec I official copy

Joanne M. Mahoney
County Executive

Onondaga County

TITLE VI, ADA and LEP PLAN



April 2016

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Policy Statement

Onondaga County assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its program or activities on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability as provided by county policy and pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166. Onondaga County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil rights language in all written agreements and will monitor for compliance.

Additional Information:

Individuals and/or organizations who would like more information concerning Onondaga County's non-discrimination obligations under Title VI, ADA and LEP should contact:

Executive Director of the Onondaga County Human Rights Commission,
Title VI, ADA and LEP Plan Coordinator
421 Montgomery Street
Syracuse, NY 13202
315-435-3565

Complaint Procedures:

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, national origin or disability can file an administrative complaint with Onondaga County under Title VI of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act of 1990, as amended, and send to the above address. If desired, individuals and/or organizations may file a complaint by completing the attached Title VI¹ complaint form (Appendix B). Complaints should be signed and include contact information. Reasonable accommodations shall be provided to any person when necessary to properly access and file a complaint with Onondaga County under Title VI, ADA and LEP.

Posting of this Notice:

This notice shall be posted in the public lobbies of the Onondaga County Civic Center at 421 Montgomery Street, Syracuse, NY 13202, and the Onondaga County Office Building at 600 South State Street, Syracuse, NY 13202.

Onondaga County does not discriminate on the basis of race, color, national origin, gender or gender identity, sexual orientation, or disability in its programs or activities.

¹ For the purpose of brevity, throughout this Plan, the term "Title VI" shall be defined to include all of the obligations, duties and protections encompassed by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166.

Authority

Title VI of the Civil Rights Act of 1964 is the Federal Law that protects individuals from discrimination on the basis of their race, color or national origin in programs that receive Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI.

- a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- b. Federal Transit Laws, Title 49, United States Code, Chapter 53
- c. 49 CFR § 1.51
- d. 49 CFR part 21
- e. 28 CFR § 42.401 et seq.
- f. 28 CFR § 50.3
- g. 70 FR 74087, December 14, 2005

Title VI Assurances

A copy of Onondaga County's Title VI Assurances Statement is attached as Appendix A. The Assurances Statement reflects the County's commitment to comply with Title VI of the Civil Rights Act of 1964, as amended, and the County's policy to ensure equal opportunity and to prevent and eliminate discrimination. Onondaga County shall submit its Title VI Certification and Assurances whenever the County accepts funding from the Federal government.

Title VI, ADA and LEP Coordinator

The Onondaga County Executive has designated the Executive Director of the Onondaga County Human Rights Commission as the Title VI, ADA and LEP Plan Coordinator for Onondaga County by Executive Order 4-2016, dated April 13, 2016. The Title VI, ADA and LEP Plan Coordinator is responsible for initiating, monitoring, and ensuring Onondaga County's compliance with Title VI, ADA and LEP requirements as follows:

1. Ensure that the County's Title VI, ADA and LEP Policy is posted according to the procedures outlined in this Program so that appropriate notice is provided to the general public.
2. To review the County's Title VI, ADA and LEP Program annually to determine that it is up to date, and to make any recommendations for changes to the document to the Onondaga County Executive to ensure that it remains up to date.
3. To keep such records and timely file such reports as required to comply with Title VI, ADA and LEP requirements.

4. To process, review and investigate Title VI, ADA and LEP complaints received by the

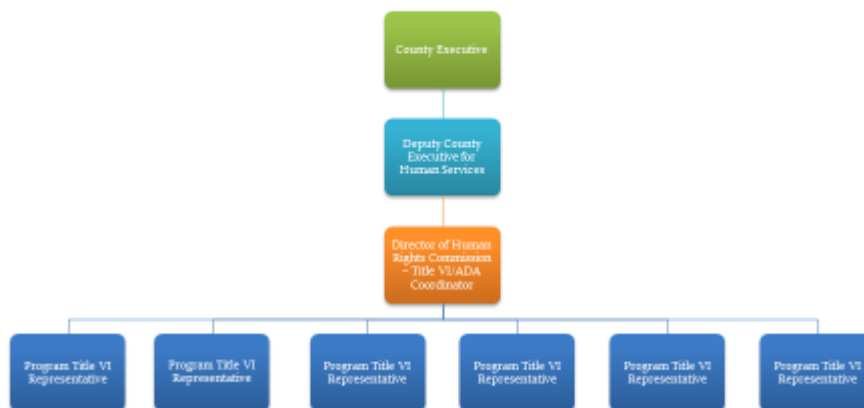
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Onondaga County Title VI Organization Chart



Note: The County Executive oversees the Department Heads for the Departments within Onondaga County Government. The Director of the Human Rights Commission is responsible for assessing and monitoring the County's compliance with its civil rights obligations, providing training and outreach, and investigating complaints.

County Title VI, ADA and LEP Coordinator and Program Title VI Representatives

As the Title VI, ADA and LEP Plan Coordinator for Onondaga County, the Executive Director of the Onondaga County Human Rights Commission has the responsibility, with advice and assistance from the program heads, to oversee and monitor civil rights compliance, advise staff in accommodating people who interact with Onondaga County, and recommend policy and procedure changes to improve civil rights compliance, and take the other actions specified in this policy. The Title VI, ADA and LEP Plan Coordinator has the authority to advise staff on how to modify rules and procedures to accommodate individuals with disabilities and provide full, fair, and non-discriminatory access to all locations, programs, communications and services the County provides. The Coordinator is also responsible for investigating and deciding civil rights grievances. However, it is each worker's responsibility to comply with civil rights laws and to provide accommodations to people who interact with Onondaga County. Staff members do not need the Coordinator's permission to provide routine, obviously reasonable accommodations to people who interact with Onondaga County.

Each County operational area has a Program Title VI Representative. This Plan will be updated annually with an Appendix H, which will be the current list of Program Title VI Coordinators and their job titles and contact information. The Program Title VI Representative for each area will receive extra training and resources to help ensure that individuals who interact with Onondaga County receive equal treatment and access, and receive appropriate accommodations. The role of the Program Title VI Representative is to assist workers to identify discriminatory practices or impacts as well as reasonable accommodations, to ensure that an adverse decision on a case is not rendered when a grievance is pending, and to assist the County Title VI, ADA and LEP Coordinator to investigate and address pending grievances and their resolutions in each program area.

Title VI, ADA and LEP Complaint Procedures

In order to comply with Title VI, ADA and LEP and all pertinent laws and regulations associated with those civil rights laws, Onondaga County provides the following complaint procedures for any individual who believes they have been subjected to discrimination under any program or activity provided by Onondaga County. 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.

1. Complete and Submit Complaint Form. In order to allow Onondaga County to investigate an incident of alleged discrimination under Title VI, ADA and LEP, the individual who believes

they may have been subjected to discrimination must complete and file a Complaint Form. (A copy of the Complaint Form is attached as Appendix B of this document, and can also be found on the Onondaga County website at www.ongov.net.) The Complaint Form must be completed fully, and mailed or delivered to Onondaga County, Attention: Executive Director of the Human Rights Commission, 421 Montgomery Street, Syracuse, NY 13202. Only complaints of incidents that allegedly occurred within 60 days from the receipt of the complaint form will be reviewed. If assistance is needed to complete the Complaint Form, please contact the County's Title VI, ADA and LEP Plan Coordinator at 315-435-3565.

2. Review of Complaint Form. Upon receipt, the Complaint Form will be reviewed to determine if the County has jurisdiction to review the alleged act of discrimination. The Complainant shall receive an acknowledgment letter informing him/her whether the complaint will be investigated by our office.
3. Investigation. Onondaga County shall endeavor to investigate complaints within 60 calendar days from the receipt of a complaint form. If more information is needed to resolve the case, the County may contact the complainant. The complainant has 30 calendar days from the date of the letter from the County requesting additional information to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the requested information within the 30 day timeframe, the County can administratively close the case. A case can also be administratively closed if the complainant informs the County that he/she no longer wishes to pursue their case.
4. Informing Complainant of the results of the Investigation. After the investigator reviews the complaint, he/she will issue one of two letters to the complainant: a Closure Letter or a Letter of Finding. A Closure Letter summarizes the allegations and states that there was not a Title VI, ADA and LEP violation and that the case will be closed. A Letter of Finding summarizes the allegations and the results of the investigation, and explains whether any disciplinary action, additional training of a staff member, or other action will occur.
5. Appeal of the Decision. If the complainant wishes to appeal the decision, he/she has 30 days after the date of the Investigation Letter to file an appeal. The appeal is filed to the attention of the Onondaga County Chief Diversity Officer, 421 Montgomery Street, Syracuse, NY 13202.

If the complaint pertains to a particular program-related matter, a person may also file a complaint directly with the appropriate federal and/or state regulatory agencies responsible for civil rights compliance. The County will provide those contact addresses with every determination correspondence.

Title VI, ADA and LEP Investigations, Complaints, and Lawsuits

Onondaga County shall keep a log of all investigations, complaints and lawsuits under Title VI, ADA and LEP, including the date that the investigation, complaint or lawsuit was filed, a summary of the allegation(s); the status of the investigation, complaint or lawsuit; and actions taken by the County in response, or final findings related to the investigation, complaint or lawsuit. A copy of the Complaint Log for Onondaga County is attached as Appendix C.

The log shall be included in a report submitted to the appropriate state and federal regulatory agencies, as required by law.

Americans with Disabilities Act (ADA) Plan

Federal civil rights laws, including Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, require that certain sub-recipients of federal funds take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals with qualified disabilities.

A copy of Onondaga County's Americans with Disabilities Act (ADA) Plan is attached as Appendix D.

Limited English Proficiency (LEP) Plan

Title VI and its implementing regulations require that certain sub-recipients of federal funds take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) by developing a Limited English Proficiency Plan.

LEP populations are people for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. LEP populations include both people who report to the U.S. Bureau of Census that they do not speak English well and people who report that they do not speak English at all.

A copy of Onondaga County's Limited English Proficiency (LEP) Plan is attached as Appendix E.

Public Participation Plan

Onondaga County government does not operate a public transit system. The Central New York Regional Transportation Authority ("CENTRO") provides that system. Here is an excerpt from its Public Participation Plan, which can be accessed [here](#).

The Central New York Regional Transportation Authority (CNYRTA) operates public transportation services in six cities and four counties in the Central New York region. CNYRTA operates services in Syracuse, NY metropolitan region through its wholly owned subsidiary, CNY Centro, Inc. (Centro). The Authority's Board and staff are firmly committed to providing efficient, effective transportation services that enhance the quality of life throughout the Central New York region. Centro's goal is to be responsive to the transportation needs of the Central New York community by providing services which are safe, convenient, reliable and environmentally responsible with a goal of maximizing the taxpayers' return on investment.

Public participation is the process by which an organization consults with interested or affected individuals, organizations and government entities before making a decision. It is a two-way communication and collaborative problem solving effort intended to guide and manage diverse opinions. This Public Participation Plan will guide the dissemination of information and establish a framework for the solicitation of public comment on the development and review of programs and projects carried out by the Authority. To the extent possible, the goal is to provide opportunities for proactive, early and continuing public participation for projects, programs, and decision making to ensure that these programs reflect community values and benefit all segments of the community equally.

The Syracuse Metropolitan Transportation Council (SMTC) is the State-designated Metropolitan Planning Organization (MPO), responsible for administering the continuous and comprehensive transportation planning process in Onondaga County, and small portions of Madison and Oswego Counties. As the MPO, the SMTC provides the forum for cooperative decision making in the development of transportation plans, programs and recommendations. Its committees are comprised of elected and appointed officials, representing local, state and federal governments, agencies, and organizations having interest in or responsibility for transportation planning and programming. The SMTC also provides an opportunity for citizens to participate in the discussion of specific transportation issues and projects, and encourages the public to get involved in the public involvement opportunities available.

A copy of CENTRO's and SMTC's Public Participation Plans are provided as links in Appendix F.

Contract Compliance

Contractors and subcontractors for Onondaga County are responsible for complying with the Title VI Program of the County. Onondaga County shall be responsible for ensuring that contractors are aware of and comply with Title VI, ADA and LEP requirements. Appropriate language requiring compliance shall be included in each contract with the County.

Notification to Beneficiaries

Under Title VI, Onondaga County is required provide information to the public regarding the County's obligations under Title VI, ADA and LEP regulations and apprise the general public of the protections against discrimination afforded to them by federal civil rights laws. Onondaga County shall disseminate this information to the general public by posting the Title VI, ADA and LEP policy notice on the County's website and in public areas of the County's offices, including the public meeting rooms and bulletin boards. A copy of the Public Notice is attached as Appendix G.

Training

Title VI, ADA and LEP compliance information shall be distributed to Onondaga County employees annually via the Employee Education form (see Appendix I). This form reminds employees of their Title VI, ADA and LEP responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, ADA and LEP laws and policies and Onondaga County's expectations to perform their duties accordingly.

All employees shall be provided a copy of Onondaga County Title VI, ADA and LEP Plan and are required to sign the Acknowledgement of Receipt (see Appendix J).

Monitoring/Reporting

Onondaga County is responsible for complying with Title VI, ADA and LEP regulations and also ensuring that any contractors to the County are in compliance. Accordingly, the Onondaga County Title VI, ADA and LEP Coordinator shall assist program managers and Program Title VI Representatives to regularly monitor contractors for compliance and shall prepare annually a Title VI, ADA and LEP Program Summary Report outlining the efforts of Onondaga County to comply with Title VI.

APPENDIX A. Title VI Statement of Assurances for Onondaga County

Onondaga County (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 (USDOT), through the Federal Highway Administration (FHWA) and New York State Department of Transportation, is subject to and will comply with the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252);
- 49 C.P.R. Part 21 (entitled *Non-discrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 C.P.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 otherwise be subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from USDOT, including FHWA."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respects 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 agrees with and gives the following Assurances with respect to its Federally-assisted programs:

The Recipient agrees that each "activity," "facility," or "program," as defined in subsections 21.23(b) and 21.23(e) of 49 C.P.R. §21 will be (with regard to an "activity") facilitated, or will be (with regard to a program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

1. 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 programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

Onondaga County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC subsections 2000d to 2000d-4, and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act) 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 of award.

2. The Recipient will insert the clauses of Exhibit 1 of this Assurance in every contract or agreement subject to the Acts and the Regulations.
3. The Recipient will insert the clauses of Exhibit 2 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.
4. 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.
5. 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.
6. That the Recipient will include the clauses set forth in Exhibit 3 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.
7. 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.

8. The Recipient shall 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 pursuant to the Acts, the Regulations and this Assurance.
9. 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, Onondaga County also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA access to records, accounts, documents, information, facilities, and staff. Onondaga County also recognizes that it must comply with any program or compliance reviews, and/or complaint investigations conducted by FFIWA, or its designee in a timely, complete, and accurate way. Additionally, Onondaga County must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Onondaga County gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts or other federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person whose signature appears below is authorized to sign this ASSURANCE on behalf of the Recipient.

Syracuse, New York.

Signed: _____
Hon. Joanne M. Mahoney, County Executive

Dated: _____

Exhibit 1 Transportation Contractors, Subcontractors, Suppliers, and Manufacturers

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 shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter DOT), Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The contractor, with regard to the work performed during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Onondaga County or the NYSDOT to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the County, or the New York State Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, Onondaga County and the NYS Department of Transportation shall impose such contract sanctions as it, or the Federal Highway Administration may determine to be appropriate, including, but not limited to: withholding of payments to the contractor under the contract until the contractor complies, and/or; cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the County or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the County enter into such litigation to protect the interests of the County and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

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 § 471, 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. §§ 12131-12181) 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 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).

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW, THEREFORE, Onondaga County, as authorized by law, and upon the condition that the State of New York will accept title to the lands and maintains the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252:42 USC 2000d to 2000d-4) does hereby remise, release, quitclaim, and convey unto Onondaga County all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

Pursuant to the provisions of Title VI Assurances: The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that in the event facilities are constructed, maintained or otherwise operated on the property being purchased, for a purpose for which a United States Department of Transportation (USDOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the purchaser shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be 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 furnishings of services thereon, no person, on the grounds or race, color, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the purchaser shall use the premises in compliance with all requirements imposed by, or pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Onondaga County pursuant to the provisions of Assurances, number 7.

The LESSEE, or their heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services In compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the County shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Onondaga County pursuant to the provisions of Assurances, number 7.

The LESSEE, or their personal representatives, successors in interest, and assigns, as a part of the consideration hereof does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the County shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

APPENDIX B. Title VI Complaint Form



County of Onondaga Office of Diversity and Inclusion

John H. Mulroy Civic Center, 15th Floor
421 Montgomery Street, Syracuse, New York 13202
Phone: 315.435.3565
Human Rights: 315.435.3565
MWBE: 315.435.5065
www.ongov.net

J. Ryan McMahon, II
County Executive

Monica Williams
Chief Diversity Officer

Human Rights Commission Intake & Title VI, ADA & LEP Plan Complaint Form

Name of Complainant:	Date of Complaint:	HRC Staff:
Person Harmed:	Date of Summary:	Mode of Contact:
Mailing Address:	Phone Numbers:	Referred By:
Town: Zip:	Email:	

Does Complainant believe they have experienced discrimination? YES NO Not Sure

If Yes, by whom? _____ From what program or location? _____

If Yes, I believe this discrimination was because of my (check all that apply):

- Sex Race / Color (specify: _____) Ethnicity (specify: _____)
 National Origin Primary Language (specify: _____) LGBT Identity or Gender Expression
 Disability Other (specify: _____)

Summary of Allegations:

Complaint Category:



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Office of Diversity and Inclusion

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J. Ryan McMahon, II
County Executive

Monica Williams
Chief Diversity Officer

Name of Complainant

Date of Intake/Complaint:

Continued Summary of Allegations:

How have you tried to resolve this situation prior to making this complaint? _____

What would you like to see happen as a result of this complaint? _____

*For Office Use
Only*

- ___ Title VI
- ___ ADA Title II
- ___ LEP
- ___ Other:

Sex : Age :
Race/Ethnicity :
Religion :
Immigrant/Refugee:

ESL :
Primary Language:
LGB :
Gender Identity:

Person with Disability:
Deaf/HOH or Blind/VI:
Mental Health Issue(s):

Notes:

APPENDIX C. Title VI, ADA and LEP Complaint Log Form

**Onondaga County
Title VI, ADA and LEP**

INVESTIGATIONS, COMPLAINTS & LAWSUITS LOG

In order to comply with 49 CFR Section 21.9(b), Onondaga County shall prepare and maintain a list of any active investigations conducted by entities other than FTA, including lawsuits, or complaints naming Onondaga County and/or subrecipient that allege discrimination on the basis of race, color, sex or national origin.

Onondaga County shall complete this log at the end of each Calendar Year, providing the requested information.

AGENCY: _____

TITLE VI COORDINATOR: _____

E-MAIL: _____ **CONTACT:** _____

Calendar YEAR _____

1. Were any investigations, lawsuits or complaints filed during this time period? _____
2. If YES, please provide the following information for each investigation, lawsuit or Complaint received during this time period:
 - Date the investigation, lawsuit or complaint was filed, and
 - Summary of the allegation(s) and status if resolved.
3. Based on the investigations, lawsuits or complaints filed during the stated Year, please provide a Status of each allegation. **(Report on separate paper at the end of the year).**
4. Please indicate if or what actions were taken by Onondaga County in the response to the Investigation, lawsuit or complaint. **(Report on separate paper at the end of the year).**

APPENDIX D. Americans with Disabilities (ADA) Plan

FREQUENTLY USED TERMS

Disability Definitions -

- **The Rehabilitation Act of 1973.** The term “**disability**” means...a physical or mental impairment that constitutes or results in a substantial impediment to employment; or...a physical or mental impairment that substantially limits one or more major life activities. 29 USC §705(9).
- **Individual with a disability...**[T]he term “**individual with a disability**” means...any person who (i) has a physical or mental impairment which substantially limits one or more of such person’s major life activities; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment, 29 USC §705(20)(B).
- **The Americans with Disabilities Act.** The term “**disability**” means, with respect to an individual—(A) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (B) a record of such an impairment; or (C) being regarded as having such an impairment. 42 USC §12102(2).
- **New York State Human Rights Law.** The term “**disability**” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. Executive Law §292(21).
- **Section 503 -** Section 503 of the Rehabilitation Act of 1973, administered by the U.S. Department of Labor’s Office of Federal Contract Compliance Programs, applies to all federal contractors and subcontractors with contracts of \$10,000 or more. It mandates affirmative action to employ and advance in employment, qualified people with disabilities. In addition, it requires all recipients with 50 or more employees and one or more federal contracts of \$50,000 or more to prepare and maintain affirmative action programs.

Section 504 - Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against qualified individuals with disabilities in federally funded programs and activities. The Justice Department’s Disability Rights Section is responsible for coordinating government-wide efforts to comply with Section 504.

The Americans with Disabilities Act - The Americans with Disabilities Act (ADA) guarantees disabled people access to employment, public accommodations, transportation, public services and telecommunications. The ADA provides

comprehensive federal civil rights protection for people with disabilities.

- **New York State Human Rights Executive Law 296** - Executive Law §296(1)(a) makes it an unlawful discriminatory practice for an employer to refuse to hire or employ or to bar or to discharge from employment a disabled individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment. Executive Law §296(3)(a) requires an employer to provide reasonable accommodations to the known disabilities of an employee, prospective employee in connection with a job or occupation sought or held or participation in a training program. Executive Law §296(b) provides that nothing contained in this subdivision shall be construed to require provision of accommodations that can be demonstrated to impose an undue hardship on the operation of an employer's business program or enterprise. Executive Law §296(7) makes it unlawful discriminatory practice for any person engaged in any activity to which this section applies to retaliate or discriminate against any person because he or she has opposed any practices forbidden under this article or because he or she has filed a complaint, testified or assisted in any proceeding under this article.
- **Reasonable Accommodations** - The term "reasonable accommodation" means actions taken which permit an employee or prospective employee with a disability to perform in a reasonable manner the activities involved in the job or occupation sought or held and include, but are not limited to, provision of an accessible worksite, acquisition or modification of equipment, support services for persons with impaired hearing or vision, job restructuring and modified work schedules; provided, however, that such actions do not impose an undue hardship on the business, program or enterprise of the entity from which action is requested. New York State Human Rights Executive Law §292(21-e)

I. General requirements of the ADA/504

Onondaga County must provide an equal and meaningful opportunity to people with disabilities to participate in and benefit from County programs.

Onondaga County cannot use methods of program administration with a discriminatory effect on people with disabilities.

Onondaga County will make reasonable accommodations when necessary to avoid discrimination.

II. Who must comply with this policy

The ADA and § 504 of the Rehabilitation Act and this policy apply to all Onondaga County programs. The policy also applies to County programs provided by contractors. All Onondaga County contracts shall contain a requirement that its

contractors comply with the provisions of the ADA and § 504 of the Rehabilitation Act. Complaints of ADA/504 violations by Onondaga County contractors should be referred to the Title VI, ADA and LEP Plan Coordinator by phone call to (315) 435-3565 or email to montanettemurphy@ongov.net.

III. Who is protected by the ADA and Section 504 of the Rehabilitation Act

The ADA and Section 504 of the Rehabilitation Act apply to all individuals who have a physical or mental impairment that substantially limits a major life activity. This is a very broad definition that covers many individuals, including many people who do not receive and do not qualify for disability benefits (such as SSI or SSD).

Examples of physical impairments: Blindness, low vision, deafness, hearing limitations, arthritis, cerebral palsy, HIV, AIDS, traumatic brain injury, high blood pressure, asthma, irritable bowel syndrome, quadriplegia, cancer, diabetes, multiple sclerosis, anatomical loss, alcoholism, past illegal use of drugs are all examples of impairments. This is not a complete list of physical impairments.

Examples of mental impairments: Clinical depression, bi-polar disorder (manic depression), anxiety disorder, post-traumatic stress disorder, learning disabilities (e.g., dyslexia), attention deficit disorder, mental retardation. This is not a complete list of mental impairments.

Examples of major life activities: Engaging in manual tasks, walking, standing, lifting, bending, performing manual tasks, speaking, hearing, seeing, breathing, eating, sleeping, taking care of oneself, learning, reading, concentrating, thinking, and working. Major life activities also include major bodily functions such as bladder, bowel, digestive, immune system, cell growth, brain, neurological, circulatory, endocrine, and reproductive functions.

The determination of whether someone has a disability under the ADA is not a searching inquiry: The focus of Onondaga County staff should be on ensuring that individuals have equal and meaningful access to our programs and services, not a detailed analysis of whether individual meets the ADA/504 definition of disability.

Onondaga County visitors, applicants, recipients, and members of the public, and their companions (referred interchangeably, throughout this policy, as "people who interact with Onondaga County"): The ADA and Section 504 protect individuals visiting Onondaga County facilities, communicating with Onondaga County regarding its programs and services, receiving Onondaga County benefits and services, those applying for benefits and services, and others. It also requires that Onondaga County provides effective communications for people who interact with Onondaga County -- which group includes an individual's companion who may have a disability.

For example, an individual with a disability who wants information about

Onondaga County programs or services who has not yet applied for benefits or visited a facility has a right to access that information and a right to reasonable accommodations (see below) to do so. Family members and other companions who may have a disability cannot be discriminated against by Onondaga County when they accompany or assist someone (with or without a disability) who is seeking information from Onondaga County.

Illustrations:

Onondaga County must provide a sign language interpreter to the grandmother/caretaker of a child receiving services through Onondaga County, so the grandmother/caretaker can speak with the Onondaga County about her granddaughter's needs.

Onondaga County must provide a sign language interpreter to the niece of an applicant so she can discuss her aunt's application with Onondaga County, if the niece typically assists her aunt in such matters, and the aunt wants her niece's assistance and involvement.

The individual must meet essential program or service eligibility requirements: If an individual does not meet essential program eligibility requirements (e.g., income, resource, and immigration requirements), it is not discriminatory to exclude the person from an Onondaga County program.

Past history of a disability: The ADA and § 504 also protect individuals with a past history of a disability from discrimination based on that history.

Regarded as having a disability: The ADA and § 504 protect individuals who Onondaga County staff members believe have a disability from discrimination. For example, Onondaga County cannot discriminate against someone based on a belief that a minor condition is much more limiting than it is. Nor can Onondaga County discriminate against someone because she takes medication, and Onondaga County believes that means she has some type of disability.

IV. Physical accessibility

If a building or part of a building where Onondaga County services are provided is not physically accessible, Onondaga County must ensure that the individual is provided meaningful access to services through other means, by either holding appointments with people who interact with Onondaga County in another office in the building or at a different location, holding an appointment at the home of a person who interacts with Onondaga County, conducting appointments over the phone, allowing an authorized representative to attend the appointment for the individual, or by other

means.

V. No separate programs

People with disabilities cannot be put in separate programs (e.g., separate education and training programs) just because they have disabilities. If a person meets the essential eligibility requirements for a program, he or she has a right to participate in that program.

VI. Services must be provided in the most integrated setting

Onondaga County must provide services to people with disabilities in the most integrated setting appropriate to the needs of the person with a disability.

VII. Onondaga County must provide reasonable accommodations to individuals with disabilities

Onondaga County must provide reasonable accommodations to individuals with disabilities. A reasonable accommodation is any reasonable change in the way Onondaga County does something for a person with a disability or allows a person to do something. Clerical and line staff, not just supervisors and administrators, will be trained in the ADA and have authority to make reasonable accommodations as appropriate. Supervisory staff will ensure that all Onondaga County employees understand their obligations to make reasonable accommodations for all people who interact with Onondaga County: including members of the public, disabled applicants and recipients, as well as their companions with a disability, and to assist staff in resolving complicated situations. **Whenever a clerical or line staff employee considers denying a requested accommodation, the decision shall be conferenced with Program Title VI Representative before a final determination is made.**

Examples of accommodations that may be provided:

Help with a filling out an application for benefits and help with gathering documents showing eligibility for benefits or a disability

Accommodations in appointments, including scheduling appointments at time of day that will prevent long waits; seeing people who interact with Onondaga County who cannot wait on a priority basis; scheduling appointments so they do not conflict with doctor's appointments, rehab, or therapy; combining appointments to reduce travel; home visits for individuals who have difficulty traveling to Onondaga County or attending appointments at Onondaga County

for disability-related reasons; allowing people who interact with Onondaga County to reschedule appointments when a disability prevents attendance.

Giving a person more time to submit documents or complete other tasks;

Providing additional explanations of forms and program rules;

Allowing an individual to bring a friend, relative, neighbor, or advocate with them to Onondaga County appointments and during the application process;

With the consent of a disabled person who interacts with Onondaga County, sending copies of notices to the person's friend, relative or neighbor who can remind the person of appointments and/or help the individual with a disability attend an appointment;

Reading notices and other program materials to the a person who interacts with Onondaga County;

Providing notices, applications, and other program materials in alternative formats (e.g., large print, Braille, audiotape, etc.);

Modifying welfare work activities (discussed below);

Modifying County policies for people with disabilities when necessary to avoid discrimination (e.g., shelter policies, appointment policies, no-animal policies, policies about how a task must be done);

Allowing people who interact with Onondaga County with disabilities to communicate with a worker by email or other methods when needed for a disability-related reason;

Allowing people who interact with Onondaga County to submit documents by fax or by email when needed for a disability-related reason;

Many other things.

Accommodations in program rules: Rules must be modified for people with disabilities when reasonable. For example, rules requiring staff to see people who interact with Onondaga County in the order in which they arrive at Onondaga County locations, rules requiring people who interact with the County to come to Onondaga County sites for appointments, and rules requiring people who interact with Onondaga County applying for benefits to come to Onondaga County sites on particular days of the week or times of day, must all be modified for people with disabilities when necessary to provide an equal and meaningful opportunity to participate in Onondaga County programs.

Accommodations for family members: In some situations, Onondaga County must accommodate family members with a disability so an applicant/recipient has meaningful access to the program. For example, if a parent receives SSI and is applying for cash assistance for her child, Onondaga County must accommodate the parent so her child has an equal and meaningful opportunity to participate in the cash assistance program.

Accommodations for companions: Onondaga County must ensure that communications not only with applicants, participants, and members of the public, but also with companions with disabilities is as effective as communications with others. "Companion" is defined as a family member, friend, or associate of an individual seeking access to a service, program, or activity, who along with such individual, is an appropriate person with whom the public entity should communicate.

Accommodations in work activities: People who interact with Onondaga County may be entitled to a number of different types of accommodations in cash assistance work requirements, including:

Assignment to a particular program, work site, or job appropriate for the individual given her disabilities, as documented.

Part-time activities (less than 30 hours per week) if a person who interacts with Onondaga County cannot participate full-time because of a disability or disability-related treatment, as documented.

Accommodations at a job site or education and training program (e.g., equipment, modification or rules or procedures, job coaches, tutors, modified training materials), with documentation of need.

Assignment to activities which are not countable towards federal work participation rates (e.g., rehab or therapy for more than 4 consecutive weeks a year)

Exemptions from work activities if the person cannot participate as a result of a disability, even with the accommodations listed above, as documented.

A cash assistance recipient's or applicant's employability plan should contain information about a person's disability-related limitations, the accommodations needed, and whose responsibility it is to ensure that they are provided.

Accommodations needed on an ongoing basis: Many accommodations are needed on an ongoing basis. Once a staff person determines that an accommodation is necessary, she should indicate the need for this accommodation (though not the person's diagnosis) prominently in any program record maintained on a regular basis

regarding that person's case or account, so that other staff who interact with the individual are aware of it. In addition, the staff person should take the steps needed to make sure that the accommodation is provided without request in the future (until the individual's condition changes or the accommodation is no longer needed), so the person does not have to ask for it each time. For example, a person who is unable to travel for appointments should not receive routine appointment notices requiring the individual must go to appointments at Onondaga County.

Using information the County already has to accommodate people who interact with Onondaga County: The agency should use information it already has about a person who interacts with Onondaga County (e.g., from past visits, communications, applications or receipt of benefits or services) to offer accommodations to people who interact with Onondaga County even if the person hasn't requested an accommodation.

Accommodations for those with mental health problems and/or cognitive disabilities: Many people who interact with Onondaga County have mental disabilities and need accommodations as a result (such as help filling out an application and getting documents supporting eligibility, help reading documents and notices, additional explanations of program rules, reminder calls about appointments, etc.). Some people who interact with Onondaga County have a relative, friend, advocate, or service provider who can assist them, but many do not. Again, it is important to remember that communications with a person's companion with a disability must also be as clear as our communications with others. Onondaga County staff members cannot assume that all persons with whom we communicate with a cognitive disability or mental health problem has someone to assist them.

Accommodating people who interact with Onondaga County based on behavior: Some people who interact with Onondaga County are not aware that they have disabilities (e.g., mental disabilities) and are therefore unlikely to request reasonable accommodations, even though they need and are entitled to them. Some people who interact with Onondaga County behave in a hostile or disruptive manner because of a disability (e.g., a mental disability).

People who interact with Onondaga County should not be referred to other agencies as an accommodation: Applicants and recipients with disabilities may need other services (e.g., mental health care) that Onondaga County does not provide. Referring people who interact with Onondaga County to other agencies and services may be appropriate in such instances, but it is not a substitute for providing accommodations at Onondaga County so the visitor, account holder, applicant or recipient can obtain County services or any person who interacts with Onondaga County can receive effective communications.

VIII. Who is responsible for providing reasonable accommodations at Onondaga County

Every staff member has a responsibility to provide accommodations. If the staff member is not sure if an accommodation is reasonable, the staff member should consult with a supervisor, program administrator and/or the Program Title VI Representative. However, many accommodations needed by people who interact with Onondaga County are routine and should be provided as a matter of course.

Time frame for providing accommodations: Many accommodations (such as help with completing an application) must be provided on the same day they are requested. Other accommodations should be provided in time to prevent a denial of equal and meaningful access to programs and services. Most accommodations should be provided within 5 days.

Onondaga County cannot require people who interact with the County to accept an accommodation: Individuals have a right to refuse accommodations. If an individual refuses an offered accommodation and as a result, cannot comply with a program requirement, Onondaga County staff can initiate an adverse action against that person. Before doing so, however, staff should re-offer the accommodation and inform the person who interacts with Onondaga County that an adverse action may be taken if the person is unable to comply with a requirement as a result of refusing the accommodation.

IX. The disclosure of a disability by a person who interacts with Onondaga County and the obligation to document a disability

Disclosure of a disability is voluntary: Staff members must tell people who interact with Onondaga County that they have a right to disclose a disability. Workers should also tell people who interact with Onondaga County that they have a right not to disclose a disability, but if they want a reasonable accommodation, they must disclose a disability.

When can Onondaga County require documentation of a disability? If a person who interacts with Onondaga County has a disability and asks for accommodation, Onondaga County staff can, in some circumstances, require the person to submit documents from a doctor or other professional showing the existence of a disability and need for an accommodation.

If a disability is obvious (e.g., blindness, quadriplegia, mental retardation) Onondaga County staff cannot require documentation of the disability.

If an individual needs an accommodation during the application process but does not have documentation of a disability, Onondaga County must accommodate the

person and give the individual a reasonable amount of time to get documentation.

If an individual needs an accommodation, has no documentation and does not yet have Medicaid coverage or other means to pay for doctor's visits, lab tests, etc., Onondaga County must accommodate the individual until she has the means to obtain documentation

Disability documentation from people who interact with Onondaga County's own providers: Some people who interact with Onondaga County have previously diagnosed disabilities and have or can obtain documentation of disabilities from their own treating professionals. Staff must consider and give appropriate weight to these documents.

X. Onondaga County's obligation to record disability-related information in the case or account record

Staff must record the following information in the person's case or account. Each program area has the responsibility to develop its own system for marking the record prominently so that each staff member will have actual or constructive notice of the need for an accommodation. Each system must require the staff member to enter the accommodation needed and the date of the narrative which explains the need in more detail. In the narrative portion, the worker is responsible for entering the name of the person's disability, the type of accommodation requested, whether the request was granted or denied, whether the accommodation was provided, the reason an accommodation request was denied. Each program area in Onondaga County must also keep a record of all accommodation requests. If there is no current case or account record, the staff member should complete the form attached as Attachment F (Non-Recurring ADA Issue Form), and include with the appropriate file record or notes for that interaction. The narrative at the specified date in the program record or on Attachment F should explain the individual's needs as set forth above.

XI. Confidentiality of disability-related information

Staff must comply with all applicable confidentiality laws regarding the disability-related information of a person who interacts with Onondaga County. At the same time, staff must inform relevant staff at the agency about an individual's need for an accommodation so they can arrange for and/or provide accommodations. Onondaga County staff must get the consent of the person with a disability before sharing information about a person's disability with contractors or other agencies.

XII. Service animals

A service animal is an animal trained to do work or perform a task for an

individual with a disability. Service animals are used by individuals with a wide range of disabilities (both visible and hidden), and perform a wide range of tasks. Onondaga County cannot exclude service animals from its programs, locations, or impose limits on access to programs and services. Onondaga County cannot require documentation that an animal is a service animal. If it is obvious that an animal is a service animal, staff cannot ask questions about the animal of the individual's disability. If it is not obvious that the animal is a service animal, Onondaga County staff may make two inquiries to determine whether an animal qualifies as a service animal.

(1) "Is the animal required because of a disability?" and

(2) "What work or task the animal has been trained to perform?"

The service animal must be on a leash, harness, or tether unless they would interfere with the animal's safe and effective performance of the task, in which case the animal must still be within the owner's control. Onondaga County can exclude animals that are out of control if the individual does not take action to control the animal or the animal is not housebroken, but even when the animal can legitimately be excluded, the individual with a disability must be permitted to participate in the public entity's programs and services without the animal.

XIII. Effective telephone and in-person communication with people with hearing impairments

Onondaga County is required to provide effective communication with all individuals with a disability who interact with our County or our contractors. This includes our communications with applicants, recipients, members of the public, and companions of these individuals. Both in-person and remote (e.g., telephone) communications must be effective. A free sign language interpreter is one (but not the only thing) that Onondaga County must do to meet its obligation to provide effective communication.

The County uses providers of qualified sign language interpreting services including Aurora of Central New York (315-422-2429), Empire Interpreting Services (315-472-1383) and Whole Me (315-468-3275). Onondaga County is required to provide, at no cost to the visitor, account holder, applicant or recipient (or their requested companion/assistant), a qualified sign language interpreter for deaf or hard of hearing individuals who need them to communicate effectively about County programs or services. This includes interpreters for companions of people who interact with Onondaga County who may have a disability. Onondaga County must ensure that communications with people with disabilities, including those with hearing, vision and cognitive impairments is effective. This would include, at minimum, discussions about eligibility for benefits, program rules, a person's rights and responsibilities when interacting with or visiting locations operated by Onondaga County, development of

employability plans, a person's disabilities and their effect on the person's ability to comply with work requirements or other program requirements, and/or conciliation meetings. However, Onondaga County cannot require or pressure an individual to use an Onondaga County employee, the individual's friends or family members to interpret.

Children should never be used to interpret or facilitate communication except in an emergency involving an imminent threat to the safety or welfare of the individual or the public where there is no interpreter available.

For re-certifications or other on-going appointments, appropriate sign language arrangements should be made through Aurora or one of the other sign language interpretation services prior to the appointment. To the extent possible, scheduled interpretive services shall be arranged on three days' notice to the interpretation services provider. If the deaf or hearing impaired individual can read and write English sufficiently well, Onondaga County staff are permitted to write notes to communicate with the person, but only for brief, simple interactions (such as making an appointment with the County or submitting a document).

To arrange for an interpreter, employees should contact Aurora or one of the other sign language interpretation services listed above. To the maximum extent possible, delays in providing interpreters cannot count against the person who interacts with Onondaga County. When an appointment is rescheduled for a person with a disability because reasonable accommodations cannot be made on the date the application is filed or the date an attempt is made to file an application, the delay does not affect the application filing date or any other dates relevant to processing of applications. Onondaga County must also address emergency/immediate needs such as impending homelessness, emergency food needs or utility shut-offs of such applicants.

Some individuals with speech and hearing impairments use the following technology/procedures to make and receive phone calls:

TTY (teletext typewriter). If one party to the call does not have a TTY (e.g., most programs in Onondaga County government), the two parties communicate through a relay operator who has a TTY and can read the TTY text to the party without the TTY and type a response.

Video Relay. The caller uses a video phone (a computer or TV monitor) and uses sign language to communicate.

Speech to speech relay. Specially trained relay operators serve as the voice of the person with a speech disability who may be difficult to understand.

To make a call to a TTY user. Dial 711 and give the relay operator the phone number you want to call. If one party to the call doesn't have video relay equipment, the two

parties communicate through a video relay operator who uses American Sign Language to facilitate communication between the deaf and hearing person.

To receive a call from a TTY user. Just answer the call and communicate through the relay operator.

To make a call to a video relay user. Dial 711 and give the relay operator the phone number you want to call. If one party to the call doesn't have video relay equipment, the two parties communicate through a video relay operator who uses American Sign Language to facilitate communication between the deaf and hearing person.

To receive a call from a video relay user. Just answer the call and communicate through the relay interpreter.

To return messages from a relay user. Pay attention to the number on the message. The number may be the person's direct number or it may be the number of a relay operator. If the person who interacts with Onondaga County uses voice or video relay, you may need to call a relay operator and give the operator the number.

XIV. Effective communication for individuals with vision impairments

When providing information in written form, the district must, when requested, make that information available to members of the public, applicants and recipients, or their companions with vision impairments in a format that is usable by the a person who interacts with Onondaga County. In determining what type of auxiliary vision aid is appropriate, primary consideration must be given to the request of the individual with the disability. Therefore, the form of the assistance should be dictated by the person who interacts with Onondaga County whenever possible. Documents may be converted to Braille by contacting Beata Karpinska-Prehn of Arise (315-671-2929) bkarpinska@ariseinc.org" or Sonya Miller of Arise (315-671-2968, smiller@ariseinc.org). Documents to be converted should be in Word format and can be e-mailed directly to Beata or Sonya. Printed documents may be enlarged, either on a copy machine or computer, for easier reading. Regularly used enlarged documents should be maintained for later use with other visually impaired people who interact with Onondaga County. Additionally, to the extent possible, documents may be put on computer discs or e-mailed to people who interact with Onondaga County in formats that are compatible with assistive technology. Any final form of converted documents or forms should be sent digitally to the Title VI, ADA and LEP Plan Coordinator (montanettemurphy@ongov.net) to be placed in a central repository for the County's continued use.

It is expected that line staff can make these and other accommodations without assistance or approval of the supervisor. For more complicated cases or where the a person who interacts with Onondaga County is unsatisfied with the proposed accommodation, the supervisor's role is to offer assistance and ideas to the line worker and a person who interacts with Onondaga County about options that may not have

been effectively explored. Files must be documented so that the applicable accommodation may be available for future appointments and necessary auxiliary aides and services can be scheduled in advance of the appointment. Once the supervisor is aware that a particular individual has the need for this reasonable accommodation (i.e., through the program record or other flag), the supervisor must ensure that future notices generated from a computer must also be converted once the accommodation has been identified and accepted.

In appropriate cases, oral communication may be used to assist visually impaired people who interact with Onondaga County. However, simply reading documents to people who interact with Onondaga County, without more, may not always provide an effective opportunity to participate. Commonly used important documents (e.g., know-your-rights materials, materials describing Onondaga County programs, appointment notices, adverse action notices, hearing notices, etc.) should be converted into alternate forms of communication when necessary.

XV. Other impairments

Because disabilities come in a variety of forms and are unique to the individual, it is not possible to describe the specific accommodations that will apply to all people who interact with Onondaga County who are seeking assistance. All interventions should begin with the simple question to the person: what accommodation or assistance does he or she require to fully participate in the Onondaga County program at issue? For individuals who can't read because of cognitive or learning disabilities, applications, rules and other documents may be read to them. For individuals who cannot come to the civic center, some alternative accommodation may be necessary. This could be completing the required task on the phone or by e-mail, allowing someone to act as the person's representative or arranging for someone to take a home application or re-certification.

XVI. Notice of ADA/504 rights

Onondaga County staff must provide applicants, recipients, and members of the public (including companions of these people who interact with Onondaga County) with information about the ADA and Section 504. Onondaga County staff must prominently display a large scale version of the ADA/504 Notice of Rights in waiting rooms at Onondaga County locations and other areas, such as reception areas, frequented by members of the public. Onondaga County contractors shall be provided copies of notices for their offices and waiting areas. Individual copies of a Notice of Rights flyer must be available at these same locations and copies shall be accessible in baskets, shelves and other locations where a person who interacts with Onondaga County information is displayed.

The next page has the required ADA/504 Flyer and the ADA/504 Poster for use at all County facilities where the public would interact with County staff.

People with disabilities have rights!

Did you know?

If you have a health or mental health problem that makes it hard for you to:

- Apply for benefits or services
- Get into meetings or go to appointments
- Do other things you need to do to get benefits or services

then you have a right to receive help from Onondaga County. This help is called a **reasonable accommodation**.

To get this help, you must have a problem that limits what you can do. If you have:

- Depression or other mental health problems
- Problems with learning or memory
- Problems walking, sitting, standing
- Vision, hearing, and speech problems
- Asthma
- Cancer, diabetes, heart problems
- HIV/AIDS
- MS, cerebral palsy, muscular dystrophy
- Other health or mental health problems

You may be protected. If you have a condition that limits you, you may have a right to:

- Help from the County with filling out an application and getting documents
- Change an appointment
- A meeting space at the County that fits a wheelchair or other equipment

- Information in Braille, large print, or digital format
- A sign or other language interpreter

To get a reasonable accommodation, ask your worker or the receptionist.
If you ask for an accommodation and don't get it, you can file a grievance with the Onondaga Title VI, ADA and LEP Plan Coordinator:

Executive Director of the Human Rights Commission
John L. Mulroy Civic Center
412 Montgomery Street – 15th Floor
315-435-3565

You can contact Beata Karpinska-Prehn at ARISE at 635 James St., Syracuse NY 13203-2661, 315- 671-2929,TTY 315-479-6363.



Do you have a disability?

Need help with paperwork or information?

Under the Americans with Disabilities Act

Onondaga County can assist you

Please notify the front desk if you need assistance

Ask your worker-We are here to help you!



Please contact me for more information and assistance:

Montanette Murphy

Executive Director of Human Rights

315-435-2110

M.Murphy@Ongov.net

XX. Staff training

All staff members that interact with members of the public, including receptionists and security guards employed by Onondaga County must be trained on the ADA and on this policy. This training will be done electronically on an annual basis. It is the responsibility of the ADA Coordinator to ensure that County staff members receive this training. In addition live training sessions shall be conducted in cooperation with community disability advocates on a periodic basis. The training shall include, at minimum, the following topics:

General information about Title II of the ADA
Detailed information about the Onondaga County Title VI, ADA and LEP policy
Information about waiting room and reception area procedures

XXI. Best Practices

It is the policy of Onondaga County to observe and incorporate best ADA practices both from within and outside the agency whenever possible. The Department of Social Services-Economic Security (“DSS-ES”) intake program on the second floor of the Syracuse, NY Civic Center has adapted its procedures to better serve a disabled person who interacts with DSS-ES. Some of these adaptations include the following:

- Assigning a specially trained employee to the reception area to address ADA issues as they arise
- Assigning staff to assist disabled individuals in completing the application process where such an accommodation is appropriate
- Creating a separate line and interview booth for disabled applicants who require this accommodation to better access services
- Displaying ADA-related flyers and posters in a manner that makes them easily visible by and accessible to disabled individuals
- Maintaining in the reception area readily available resource information about hearing, vision and language assistance

These ideas, to the extent transferable, shall provide the model for other Onondaga County reception areas.

APPENDIX E. Title VI Limited English Proficiency Plan

INTRODUCTION

Consistent with Title VI of the Civil Rights Act of 1964, U.S. Department of Transportation's implementing regulations, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), Onondaga County is required to take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). Onondaga County has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance for persons with limited English proficiency who wish to access services provided. As defined by 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 identifies how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to LEP persons regarding the availability of assistance.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

In order to prepare this plan, Onondaga County used the U.S. Department of Justice *Four-Factor LEP Analysis*:

- 1) The number or proportion of LEP persons in the service area who may be served or are likely to require services by Onondaga County.
- 2) The frequency with which LEP persons come into contact with Onondaga County services.
- 3) The nature and importance of services provided by Onondaga County to the LEP population.
- 4) The interpretation services available to Onondaga County and overall cost to provide LEP assistance.

A summary of the results of the Four-Factor LEP Analysis is found below.

1) The number or proportion of LEP persons in the service area who may be served or are likely to require services by Onondaga County.

The Onondaga County staff reviewed the American Community Survey 5-Year Estimates (2009 - 2013) for Onondaga County and determined that:

- a. Approximately 44,868 of a total population of 439,924 persons five years and over in Onondaga County's service area, comprising 10.2% of the population, speak a language other than English.

- b. Of those, 16,961 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is approximately 4% of the overall population in the service area.
- c. Based on the Onondaga County Health Department's Community Health Assessment for 2014-2017, Onondaga County serves the following populations with Limited English Proficiency:

The most commonly spoken language other than English is Spanish, which is the primary spoken language at home for 2.9% of Onondaga County residents and 6.3% of Syracuse residents ages 5 and older. Primary speakers of other "Indo-European languages" (e.g., French, Polish, Ukrainian, Russian, Bosnian, Turkish, etc.) account for 4.1% of county residents and 4.5% of Syracuse residents. Primary speakers of "Asian and Pacific Islander languages" (e.g., Chinese, Burmese, Nepalese, Karen dialects, etc.) account for 2.0% of county residents and 3.7% of Syracuse residents. Primary speakers of "other languages" (e.g., Arabic; American Indian languages including Onondaga); African languages (including Swahili and other Bantu languages; Somali, etc.) account for 0.9% of county residents and 2.0% of Syracuse residents.

2) The frequency with which LEP persons come into contact with Onondaga County services.

Onondaga County reviewed the frequency with which their staff have, or potentially have, contact with LEP persons. This includes documenting phone inquiries and office visits.

- a. Onondaga County Department of Transportation has never had a request for interpreters or translated program documents. The Onondaga County Department of Social Services-Economic Security, which typically has the greatest number of interactions with the general public each year, averages approximately more than 1,000 interactions with LEP individuals on a yearly basis, with those individuals needing assistance predominantly in Arabic and Spanish.
- b. Generally, staff for Onondaga County programs not involving human services of law enforcement have infrequent contact with LEP persons.

3) The nature and importance of services provided by Onondaga County to the LEP population.

Onondaga County provides vital services impacting the health, safety, nutrition, and economic security of our residents. Between 2000 and 2014, Onondaga County has also become the home for more than 14,000 refugees, who arrive needing many kinds of supportive services.

4) The interpretation services available to Onondaga County and overall cost to provide LEP assistance. Onondaga County has reviewed its available resources that could be used to provide LEP assistance and inventoried its documents to determine which are suitable for translation if the need arises. Onondaga County uses existing bilingual staff to provide interpretation to individuals that only speak Spanish (one of the larger groups of individuals with LEP). We also have professional interpretation service providers under contract for phone and in-person language services. In addition we are in the process of adding a tool to allow visitors to County websites to translate the webpages into one of more than ten languages.

LANGUAGE ASSISTANCE

Language assistance to LEP individuals can include interpretation (oral or spoken transfer of a message from one language into another language) and translation (the written transfer of a message from one language to another.)

Onondaga County uses the following measures to identify an LEP person in need of language assistance:

- 1) All public reception staff will have access to the Language Identification Card (see figure 1 below).
- 2) Post notices of the availability of interpretation or translation services free of charge in all LEP languages in which the total LEP population is at least 1% of the total population.
- 3) Periodically surveying Onondaga County staff regarding their interaction with LEP persons at least annually.
- 4) Greeting participants at Onondaga County sponsored informational meetings or events to determine the LEP needs for future events.

Language Assistance Measures

The County takes the following reasonable steps to provide the opportunity for meaningful access to LEP individuals who have difficulty in communicating in English:

1. Posting important notices in a language other than English if the total LEP population for a language other than English is at least 1% of the total population; and
2. Provide bilingual interpreters for LEP individuals.
3. Language interpretation service for all other languages will be accessed through a professional telephone interpretation service or in-person interpretation.
4. Important correspondence will be translated into the requested LEP language.
5. Web page content will be linked to the "Google™ Translate" application for translation services.

STAFF TRAINING

The information below will be disseminated to staff. Training opportunities on these topics will also be provided.

1. Title VI and ADA Policy and LEP responsibilities
2. Description of language assistance services available to the public if required
3. Proper use of interpreter service
4. Documentation of language assistance requests
5. Handling of Title VI, ADA and LEP complaints
6. Obligation to require contractors to follow Title VI, ADA and LEP guidelines

TRANSLATION OF DOCUMENTS

Onondaga County will provide for the translation of critical documents in the appropriate non-English language(s).

MONITORING

Onondaga County will monitor the LEP Plan as required. At a minimum, the plan will be reviewed and updated when more recent data from the U.S. Census Bureau and the American Community Survey is available, or when it is clear that higher concentrations of LEP individuals are present in the Onondaga County service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts.
- Determination of Onondaga County's financial resources to fund language assistance resources.
- Determination of Onondaga County's full compliance with the goals of the LEP Plan.
- Explanation of Onondaga County's processing of LEP complaints.

DISSEMINATION OF LEP INFORMATION

Onondaga County will take the following steps to disseminate LEP Information to the general public:

- All reception area staff will have the Language Identification Card to assess an individual's language needs. (See LEP Plan, Figure 1, below).
- All reception staff and direct service providers will be given instructions on how to access in-person and telephone-based interpreting services.
- Post signs in public areas of the Onondaga County office buildings to inform LEP persons of the Title VI, ADA and LEP Plan and how to access language services.
- Modify Onondaga County website to provide contact information of staff who can arrange translation and interpreter services.
- Notify LEP persons of the availability, upon request, of documents in other languages. This notice would be placed on agendas and public notices.
- Post the Title VI, ADA and LEP Plan on Onondaga County's website.

Language Identification Flash Card, page 2

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French ●
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German ●
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazyè sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	जगर भाषा हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi ●
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian ●
<input type="checkbox"/>	日本語を讀んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	Ἐπισημειώστε ἐφ' ἑκείνου τὸ πλαίσιο.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

END of LEP Plan

APPENDIX F. Title VI Public Participation Plan

INTRODUCTION

Onondaga County government does not operate a public transit system, nor has it had or plans to have any expansions or new construction involving the County-owned and –operated road ways and transportation infrastructure. Two entities are responsible for providing the structure and process for communicating with and involving the public in the overall planning process. The Central New York Regional Transportation Authority provides the public transit system. The Syracuse Metropolitan Transportation Council has been designated by New York State as the Metropolitan Planning Organization (MPO) for the transportation infrastructure for Onondaga County, among other municipalities.

The Central New York Regional Transportation Authority (CNYRTA):

Here is an excerpt from the Central New York Regional Transportation Authority Public Participation Plan, which can be accessed [here](#).

The Central New York Regional Transportation Authority (CNYRTA) operates public transportation services in six cities and four counties in the Central New York region. CNYRTA operates services in Syracuse, NY metropolitan region through its wholly owned subsidiary, CNY Centro, Inc. (Centro). The Authority's Board and staff are firmly committed to providing efficient, effective transportation services that enhance the quality of life throughout the Central New York region. Centro's goal is to be responsive to the transportation needs of the Central New York community by providing services which are safe, convenient, reliable and environmentally responsible with a goal of maximizing the taxpayers' return on investment.

Public participation is the process by which an organization consults with interested or affected individuals, organizations and government entities before making a decision. It is a two-way communication and collaborative problem solving effort intended to guide and manage diverse opinions. This Public Participation Plan will guide the dissemination of information and establish a framework for the solicitation of public comment on the development and review of programs and projects carried out by the Authority. To the extent possible, the goal is to provide opportunities for proactive, early and continuing public participation for projects, programs, and decision making to ensure that these programs reflect community values and benefit all segments of the community equally.

The Syracuse Metropolitan Transportation Council (SMTC)

As the Metropolitan Planning Organization (MPO) designated by the Governor of the State of New York, the Syracuse Metropolitan Transportation Council (SMTC) has the responsibility to carry out the continuous, comprehensive and cooperative transportation planning process for the Syracuse Metropolitan Area. The SMTC is comprised of three specific committees that incorporate all SMTC member agencies. The agencies that comprise the Policy Committee, Planning Committee

and Executive Committee are listed below. These groups provide guidance to the SMTC's studies and public participation process. Committee attention to planning concerns may require detailed technical evaluation by Central Staff, preparation of brief policy issue papers, or identification and debate on the Committee floor. Issues may be brought to SMTC's attention at the Committee level either through contact with the staff, presentation by individual Committee members or presentations by external groups. To facilitate such interaction, all regularly scheduled business meetings are open to the public, and an expanded mailing list for agendas and important announcements is maintained. Additionally, notices of all SMTC Committee meetings are posted on the SMTC web site and press releases are sent to the local media prior to meeting dates.

The Policy Committee consists of the following agencies: CNY Regional Planning & Development Board, CNY Regional Transportation Authority [CENTRO], City of Syracuse - Office of the Mayor, City of Syracuse Common Council - President, City of Syracuse Planning Commission, Empire State Development Corporation, Metropolitan Development Association, NYS Department of Environmental Conservation, NYS Department of Transportation, NYS Thruway Authority, Onondaga County - Office of the County Executive, Onondaga County Legislature – Chair, and Onondaga County Planning Board. The Policy Committee also includes the following non-voting/advisory agencies: Federal Aviation Administration, Federal Highway Administration, Federal Transit Administration, Madison County Board of Supervisors – Chair, and Oswego County Legislature – Chair.

The Planning Committee is the fundamental mechanism for executing the technical aspects of continuing the transportation planning process in the Syracuse metropolitan area. The Planning Committee meets approximately four times per year, or as needed. Publicity and opportunity for public involvement follow the same guidelines as the Policy Committee. Transit operating agencies are included in this Committee to assure a balanced and intermodal approach to planning. The Planning Committee consists of the following agencies: CNY Regional Planning & Development Board, CNY Regional Transportation Authority, City of Syracuse Administration, City of Syracuse Community Development, City of Syracuse Department of Public Works, Empire State Development Corporation, Metropolitan Development Association, NYS Department of Environmental Conservation, NYS Department of Transportation, NYS Thruway Authority, Onondaga County Department of Transportation, Onondaga County Legislature, and Syracuse-Onondaga County Planning Agency. The Planning Committee also includes the following nonvoting/advisory agencies: Madison County Planning Department, Oswego County Community Development, and Tourism & Planning Department.

The Executive Committee provides oversight for the day-to-day operations of the SMTC as well as its finances. An advisory member of the Executive Committee is a representative from the host agency. The meeting announcement and agenda are sent out for dissemination. These meetings are held once a month, and are open to the public. The Executive Committee consists of the following agencies: CNY Regional Transportation Authority, City of Syracuse, NYS Department of Transportation, and Onondaga County. The Executive Committee also includes the following advisory

agencies: CNY Regional Planning & Development Board, and Syracuse-Onondaga County Planning Agency.

Public Participation Methods: For studies that require public participation, three methods shall be used “to the maximum extent practicable”. Please note that the SMTC makes every attempt to accommodate all requests for individuals with special needs:

- o “hold any public meetings at convenient and accessible locations and times;
- o “employ visualization techniques to describe plans; and
- o “make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate...”

The goals of the SMTC Public Participation Plan include:

- Creating public awareness relative to the goals, objectives and processes of various SMTC studies, as well as publicizing the public participation opportunities and activities available throughout the development of SMTC studies;
- Involving the public in the transportation planning process so that transportation plans, policies and investments embrace the concerns of the traveling public, rural and urban neighborhoods, economic development interests, and other societal concerns. All public involvement processes shall provide opportunities for greater Outreach and involvement will be extended to all affected and interested groups and individuals – minority, elderly, low-income, tribal governments, and others (Environmental Justice).

APPENDIX G. Title VI, ADA and LEP Public Notice

Policy Statement

Onondaga County assures that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Executive Order 13166. Onondaga County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that Onondaga County distributes federal aid funds to another government entity, it will include civil rights language in all written agreements and will monitor for compliance.

Additional Information:

Individuals and/or organizations who would like more information concerning Onondaga County's non-discrimination obligations under Title VI and ADA should contact:

Onondaga County Title VI, ADA and LEP Plan Coordinator
Onondaga County Human Rights Commission
421 Montgomery Street
Syracuse, NY 13202
315-435-3565

Complaint Procedures:

Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, national origin, gender or gender identity, sexual orientation, or disability can file an administrative complaint with Onondaga County under federal Civil Rights laws and regulations, including the ADA, and send to the above address. If desired, individuals and/or organizations may file a complaint by completing a civil rights complaint form, which can be obtained at the address listed above.

Complaints should be signed and include contact information. Reasonable accommodations shall be provided to any person when necessary to properly access and file a complaint with Onondaga County under federal Civil Rights law. If assistance is needed to complete the Civil Rights Complaint Form, please contact the County's Title VI, ADA and LEP Plan Coordinator using the contact information listed above.

Posting of this Notice:

This notice shall be posted in the public lobbies of the Onondaga County Civic Center at 421 Montgomery Street, Syracuse, NY 13202, and the Onondaga County Office Building at 600 South State Street, Syracuse, NY 13202.

Onondaga County does not discriminate on the basis of race, color, national origin, gender or gender identity, sexual orientation, or disability in its programs or activities.



Onondaga County *Title VI, ADA & LEP Plan* Representatives of Each County Department

	FIRST NAME	LAST NAME	DEPARTMENT	OFFICE LOCATION & PHONE NUMBER	EMAIL
1	Montanette	Murphy	Office of Diversity and Inclusion	Civic Center 15thFL (315) 435-2110	montanettemurphy@ongov.net
2	JoAnne	Spoto-Decker	Adult & Long Term Care	Civic Center 10thFL (315) 435-5635	JoAnneDecker@ongov.net
3	Mary Lee	Gilmartin	Board of Elections	1000 Erie Blvd. (315) 435-3313	MaryLeeGilmartin@ongov.net
4	Kelly	Varamogiannis	Child & Family Services	Civic Center (315) 435-8315	31F336@dfa.state.ny.us
5	Kristen	McGriff	Community Development	(315) 435-3558 x 5814	kmcgriff@ongov.net
6	William	Ryan	Comptrollers	Civic Center 14thFL (315) 435-6447	williamryan@ongov.net
7	Robert	Hayden	Corrections (Jamesville)	Jamesville Corr. Facility (315) 435-1774	RobertHayden@ongov.net
8	Evan	Karalunas	County Clerk/Deputy Clerk	Old Courthouse (315) 435-4931	evankaralunas@ongov.net
9	Brianna	Paro	County Executive	Civic Center 14thFL (315) 435-3516	BriannaParo@ongov.net
10	Barry	Weiss	District Attorney	Crim. Courthouse (315) 435-4368	barryweiss@ongov.net
11	Christina	Fadden	DSS: Economic Security	Civic Center 12thFL (315) 435-7130	31F509@dfa.state.ny.us

12	Karen	Doster	Economic Development	333 W. Washington St. Suite 130 (315) 435-3770	KarenDoster@ongov.net
13	Benjamin	Rinaldi	Emergency Communications (911)	3911 Central Ave. (315) 435-8624	benjaminrinaldi@ongov.net
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7/18/2022