

**CITY OF LOCK HAVEN
CLINTON COUNTY, PENNSYLVANIA**

Title VI Compliance and Implementation Plan

**Agency Name: City of Lock Haven
Title VI Coordinator, Leonora M. Hannagan**

Date Adopted: February 6, 2012

I. Plan Statement

The City of Lock Haven is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin as protected by Title VI. However, the City of Lock Haven's reference to Title VI includes other civil rights provisions of Federal statutes and related authorities pertaining to sex, age, religion, disability and familial status to the extent that they prohibit discrimination in programs and activities receiving Federal financial assistance.

Title VI Coordinator Contact information

Leonora M. Hannagan
Title VI Coordinator
City of Lock Haven
20 East Church Street
Lock Haven, PA 17745
Phone: 570-893-5903

II. Selected Nondiscrimination Authorities

Title VI of the Civil Rights Act of 1964 as amended

Provides in Section 601 that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title VII of the Civil Rights Act of 1964 as amended

Prohibits employment discrimination on the basis of race, color, religion, national origin, or sex.

Title VIII of the Civil Rights Acts of 1968, as amended (Fair Housing Act)

Prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex, national origin, disability or familial status (presence of child under age of 18, and pregnant women).

Americans with Disabilities Act of 1990 as amended

Provides that “No qualified individual with a disability shall, be reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or local government.

The Age Discrimination in Employment Act of 1967 as amended

Provides that “No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance.”

Section 504 of the Rehabilitation Act of 1973 as amended

Provides that “No qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity that receives or benefits from Federal financial assistance.”

III. Title VI Information Dissemination

The City of Lock Haven’s Title VI Policy Statement shall be prominently and publicly displayed at all City-owned buildings (Appendix A). The name of the Title VI coordinator is available on the City of Lock Haven’s web site, at www.lockhavencity.org. Additional information relating to nondiscrimination obligation can be obtained from the Title VI Coordinator.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the City of Lock Haven’s expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

IV. Subcontracts and Vendors

All subcontractors and vendors who receive payments from the City of Lock Haven where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

V. Record Keeping:

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the City of Lock Haven’s Title VI Plan (employee file), copies of Title VI complaints or lawsuits and related

documentation, and records of correspondence to and from complainants, and Title VI investigations.

VI. Title VI Complaint Procedures

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with the City of Lock Haven at the following address:

City of Lock Haven
Title VI Coordinator
Lock Haven City Hall
20 East Church Street
Lock Haven, PA 17745

NOTE: The City of Lock Haven encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, national origin, sex, age, religion, disability or familial status in a service or benefit provided by City of Lock Haven will be directly addressed by the City of Lock Haven. The City of Lock Haven shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City of Lock Haven shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

The City of Lock Haven will send a final written response letter (see Appendix E or F) to the complainant. The City will make every attempt to informally resolve the complaint (see Appendix G). In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to file a complaint externally with the U.S. Department of Housing and Urban Development, U. S. Department of Justice, Federal Highway Administration, Pennsylvania Department of Transportation, or other appropriate federal or state agency. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Office of Fair Housing and Equal Opportunity

Department of Housing and Urban Development
Room 5204
451 Seventh St. SW
Washington, DC 20410-2000
1-800-669-9777

U.S. Department of Justice

Office of Justice Programs
Office for Civil Rights
810 7th Street, NW
Washington, DC 20531
(202) 307-0690
202-307-2027 (TDD)

PennDOT

Bureau of Equal Opportunity
P.O. Box 3251
Harrisburg, PA 17105-3251
Phone: (717) 787-5891 or (800) 468-4201
Fax: (717) 772-4026

Federal Highway Administration

U.S. Department of Transportation
Pennsylvania Division Office
ATTN: Henry Droughter
228 Walnut Street, Room 508
Harrisburg, PA 17101-1720
(717) 221-3705

VII. Limited English Proficiency (LEP) Plan

The City of Lock Haven is in the process of adopting a formal LEP Plan. Prior to adoption of this plan, the City makes employees aware that our organization's practices and procedures cannot have the effect of restricting meaningful participation in our program by an LEP person.

VIII. Community Outreach

As an agency receiving federal financial assistance, the City of Lock Haven has made the following community outreach efforts:

The City of Lock Haven has engaged the public in its planning and decision making process through public meetings for the federal funded Community Development Block Grant Program, HOME Partnership Investment Program, PennDOT Department of Transportation Programs, and U. S. Department of Justice Programs.

APPENDIX A City of Lock Haven Policy To Be Posted In All City-Owned Buildings

TITLE VI POLICY STATEMENT

It is the policy of the City of Lock Haven, in accordance with Title VI of the Civil Rights Act of 1964, as amended, and the Assurances set forth in the City’s Title VI Compliance and Implementation Plan to ensure that “no persons in the City of Lock Haven shall, on the basis of race, color, national origin, sex, age , religion, disability or familial status; be excluded for participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity” for which the City receives Federal assistance.

Furthermore, it shall be the policy of the City of Lock Haven to ensure that as a recipient of Federal-aid funding, it will ensure nondiscrimination in all of its programs and activities whether Federally funded or not. The City is steadfast in its commitment to ensure the uniform adoption of this policy.

Accordingly, to ensure compliance with Title VI of the Civil Rights Act and other pertinent directives , the City of Lock Haven commits to:

1. Conducting and operating each of its programs and facilities in compliance with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act and other pertinent directives;
2. Providing nondiscriminatory methods of administration for programs and to give reasonable guarantee that the City of Lock Haven, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such programs will comply with all requirements imposed by Title VI of the Civil Rights Act and other pertinent directives; and
3. Promptly taking any measures necessary to effect compliance with Title VI of the Civil Rights Act and other pertinent directives.

Further, the City of Lock Haven has developed procedures for prompt processing and disposition of Title VI complaints. If you feel you are being denied participation in or being denied benefits of the services provided by the City of Lock Haven or otherwise being discriminated against because of your race, color, national origin, sex, age, religion, disability or familial status, you may contact our office at:

City of Lock Haven
Leonora M. Hannagan
Title VI Coordinator
20 East Church Street
Lock Haven, PA 17745
570-893-5903

Richard W. Marcinkevage
City Manager

Date

Appendix B Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the City of Lock Haven's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin, as protected by Title VI of the 1964 Civil Rights Act.

Your signature

Print your name

Date

Appendix C TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in city services, please provide the following information in order to assist us in processing your complaint and sent it to:

City of Lock Haven
Leonora M. Hannagan
Title VI Coordinator
20 East Church Street
Lock Haven, PA 17745

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____(home) _____(cell)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

- | | |
|-----------------------|-----------------------|
| _____ race or color | _____ familial status |
| _____ national origin | _____ retaliation |
| _____ sex | _____ other |
| _____ age | |
| _____ disability | |

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw them _____

Please list any and all witnesses' names and phone numbers: _____

What type of corrective action would you like to see taken?

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

City of Lock Haven
Leonora M. Hannagan
Title VI Coordinator
20 East Church Street
Lock Haven, PA 17745

Your signature

Print your name

Date

APPENDIX D Letter Acknowledging Receipt of Complaint

Today's Date

Dear Mr./Mrs. _____:

This letter is to acknowledge receipt of your complaint to the City of Lock Haven alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 570-893-5903 or write to me at this address.

City of Lock Haven
Leonora M. Hannagan
Title VI Coordinator
20 East Church Street
Lock Haven, PA 17745

Sincerely,

Leonora M. Hannagan
Title VI Coordinator

**APPENDIX E Letter Notifying Complainant that the Complaint Is
"Substantiated"**

Today's Date

Dear Mr./Mrs. _____:

The matter referenced in your letter of _____ (date) to the City of Lock Haven alleging a Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Leonora M. Hannagan
Title VI Coordinator

APPENDIX F Letter Notifying Complainant that the Complaint Is "Not Substantiated"

Today's Date

Dear Mr./Mrs. _____:

The matter referenced in your complaint of _____ (date) against the City of Lock Haven alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, national origin, sex, age, religion, disability, or familial status in any program receiving federal financial assistance.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from the City of Lock Haven, and/or 2) file a complaint externally with the **(list appropriate federal agency)** at

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Leonora M. Hannagan
Title VI Coordinator

APPENDIX G Informal Settlement Agreement

Complainant

Respondent

INFORMAL RESOLUTION AGREEMENT

IT IS HEREBY AGREED by and between _____ hereinafter referred to as the Complainant, and the City of Lock Haven, hereinafter referred to as the Respondent as follows:

A. Purpose

This agreement is made between the parties for the complete and final settlement of their claims, differences, and actions with respect to the matters described below.

B. Description of Allegation

The Aggrieved Person initiated the complaint of discrimination by a complaint file on _____ (date). The Complainant alleged that _____

(statement of allegation).

Section Three: Terms of Settlement

The Complainant and the Respondent enter into this agreement without any finding of discrimination having been determined. The parties agree to the following, which will resolve and settle all claims and issues arising from the above-mentioned allegation:

1. _____
2. _____
3. _____

- C. The parties agree that this settlement shall not constitute an admission of discrimination or violation of any provision of law on the part of the Respondent.
- D. It is understood that if the Respondent fails to fulfill or rescinds any provision of this agreement, the Complainant, upon written request, shall be entitled to reinstate the matter for further processing from the point processing ceased.
- E. It is understood that if the Complainant fails to comply with the responsibilities under the terms of the agreement, the agreement may be terminated and any subsequent complaint based on the same issues will be rejected or canceled. The Respondent shall notify the Complainant in writing of its intention to terminate the agreement within ____ days of the Complainant's failure to comply.
- F. The parties agree that this settlement constitutes the sole and complete understanding between them. No other promises or agreements shall be binding unless signed by them and made part of this agreement.
- G. The parties agree that this settlement shall become effective on the date that the last signatory signs this agreement.

Complainant

Date

Respondent

Date