

**Town of Ulysses  
Title VI Compliance Plan  
and  
Nondiscrimination Policy**

## **Title VI Plan**

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## **Town of Ulysses**

### **Title VI/Nondiscrimination Policy Statement**

The Town of Ulysses is committed to ensuring that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from the services, programs and activities of the Town of Ulysses regardless of funding source. This Nondiscrimination Policy also applies to sex, gender and gender identity. Complainants alleging discrimination on the basis of sex, gender and gender identity may report complaints under this Policy using the Title VI complaint form.

If the Town of Ulysses distributes federal aid funds to another governmental entity, the Town of Ulysses will include Title VI language in all written agreements and will monitor for compliance. This Title VI policy statement and plan will be made available on the Town's website, through the Personnel Policy, and disseminated through staff training. A copy of this policy statement and plan will also be provided directly to subcontractors.

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### **Authorities**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

## **Town of Ulysses Title VI Reporting Relationships**

In order to facilitate adherence with this Policy, The Town of Ulysses Board shall appoint a Title VI Coordinator who shall report directly to the Town Supervisor and be responsible for the overall management of Title VI Policy compliance.

In conjunction with the implementation of this Policy, the Town of Ulysses has appointed the Bookkeeper to the Supervisor as the Town of Ulysses Title VI Coordinator. Title VI Coordinators shall be appointed annually, and must hold an appointment or position that ensures ready access and availability to the Town Supervisor.

The contact information for the Town of Ulysses Title VI Coordinator is as follows:

**Blix Taetzsch**  
Title VI Coordinator  
10 Elm Street, Trumansburg, NY 14886  
607-387-5767 Ex:234  
[bookkeeper@townofulyssesny.gov](mailto:bookkeeper@townofulyssesny.gov)

### **Title VI Program Specialists**

In addition to appointing a Title VI Coordinator, the Town of Ulysses has Title VI Program Specialists who monitor the Town's program areas and work directly with the Town's Title VI Coordinator to carry out this Title VI Plan. The program areas identified as sensitive to Title VI requirements are: Planning, Environment, Design, Right-of-Way, Construction, Contract Compliance, Recreation, and Maintenance. The mailing address for all Title VI Program Specialists is 10 Elm Street, Trumansburg, NY 14886. Email contact information for each Program Specialist, and the program areas for which they have primary responsibility, is as follows:

Town Supervisor  
[supervisor@townofulyssesny.gov](mailto:supervisor@townofulyssesny.gov)

2<sup>nd</sup> Deputy Supervisor, Budget, Special Projects  
[mwright@townofulyssesny.gov](mailto:mwright@townofulyssesny.gov)

Town Highway Superintendent  
[highway@townofulyssesny.gov](mailto:highway@townofulyssesny.gov)

Town Planner  
[planner@townofulyssesny.gov](mailto:planner@townofulyssesny.gov)

Recreation Director  
[recdirector@townofulyssesny.gov](mailto:recdirector@townofulyssesny.gov)

## **Program Administration and Title VI Coordinator's Responsibilities**

As authorized by the Town Supervisor, the Title VI Coordinator and Title VI Program Specialists are responsible for monitoring and reviewing the Town of Ulysses' compliance with Title VI requirements and will:

1. Fully investigate Title VI complaints received by the Town of Ulysses in accordance with the Town's Complaint Procedures. Complaints are subject to Title VI review if made by any individual or group of individuals who allege they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipt of program benefits and/or services on the grounds of race, color, national origin, sex, gender or gender identity.
2. Review Town activities in the context of the identified program areas to determine the effectiveness of program area activities at all levels. In addition to the day-to-day monitoring, all program areas will be reviewed periodically to ensure compliance with Title VI provisions. The Title VI Coordinator and Title VI Program Specialists will serve as the Town's Title VI Committee and will perform an annual, internal audit of all Town of Ulysses programs and services.
3. Conduct Title VI reviews, when necessary, of contractors and other recipients of federal aid.
4. Work with program staff to ensure Town of Ulysses programs and services are developed and implemented to afford all residents the same degree of protection from environmental and health hazards regardless of race, color, national origin or income as outlined below:
  - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
  - Ensure the full and fair participation by all potentially affected communities in the decision-making processes.
  - Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
5. Develop Title VI information for public dissemination. Ensure dissemination to the public and, where appropriate, in languages other than English to Town employees, the public, and applicable contractors, subcontractors, consultants, and sub consultants. Public dissemination will include posting of public statements and the inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement, announcements of hearings and meetings will be published in newspapers having a general circulation in the Town and near proposed projects and also any applicable publication with a significant minority readership.

6. Conduct pre-grant and post-grant approval reviews of Town of Ulysses programs and applicants for compliance with Title VI requirements; i.e., highway location, design and relocation, and persons and/or entities seeking contracts with the Town.
7. Establish and implement a Title VI/Nondiscrimination Policy training for Town of Ulysses Elected Officials, Appointed Officials, Employees, and committee and board volunteers as assigned by the Town Board. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and complaint resolution procedures. All directives providing operational guidelines to all sub recipients, and program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.
8. Identify and eliminate discrimination when found to exist. Work with all Town of Ulysses Offices and Departments to establish procedures for promptly reporting and resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to underutilization of disadvantaged business enterprises, public involvement and property acquisition.
9. The Town of Ulysses will actively seek to eliminate Title VI deficiencies and violations, and will take the necessary steps to ensure compliance with all Program administrative requirements. When irregularities occur in the administration of the Program's operation, procedures will be implemented to resolve Title VI issues within a period of 90 days, including written documentation of identified deficiencies and the affirmative steps taken to resolve them.

Town subrecipients of federal funds identified as deficient will be given a reasonable time, not to exceed 90 days after receiving notice of a deficiency, to voluntarily correct all identified deficiencies. The Town of Ulysses will seek the cooperation of the subrecipient in correcting deficiencies and will provide the subrecipient assistance and guidance to achieve voluntary compliance.

When a Town subrecipient fails or refuses to achieve voluntarily Title VI compliance within the allotted time frame, the Town of Ulysses will submit a copy of the case file to the applicable Federal granting agency with a recommendation that the subrecipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting any deficiencies previously identified.

10. Maintain updated legislative and procedural information regarding the Town of Ulysses' Title VI Program. This will include federal laws, rules and regulations, the Town of Ulysses Plan and updates, and other resources relating to Title VI issues and compliance.

## **Complaint Procedures for Federally Assisted Programs and Activities**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, relating to any transportation or Public Works program or any other activity administered by the Town, as well as to sub recipients, consultants, and contractors who receive funds sourced federally. These procedures apply to complaints filed against a program or activity that is federally funded.

Intimidation or retaliation of any kind is prohibited. The Town will not tolerate or permit adverse treatment of any party because they report discrimination or provide information related to such complaints. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain efficient resolution of complaints. The option of informal mediation meeting(s) between the affected parties and the assigned investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

### **Procedures**

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, or national origin may file a written complaint with the Town of Ulysses with the Title VI Coordinator. Discrimination complaints based on a protected class status not specifically covered by Title VI including but not limited to age, disability, sex, gender or gender identity may also be filed under this Policy.

#### **Time Limits for Filing**

A formal complaint must be filed within 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of the discriminatory conduct.

#### **Form of Complaints**

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail.
  
- A formal complaint of discrimination received by telephone or in person will be transcribed in writing, and provided to the complainant for confirmation, revision if

needed, and signature before processing.

- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties to the alleged discriminatory incident(s).

Upon receipt of the complaint, the Town of Ulysses will: (1) acknowledge its receipt, (2) confirm the Town's jurisdiction, and (3) review the complaint for completeness and request additional information if necessary, and (4) determine whether the complaint alleges a factual basis for an investigation pursuant to this Policy. In cases where the complaint is against one of the Town's subrecipients of federal funds, the Town will assume jurisdiction and will investigate and adjudicate the case.

Complaints against the Town of Ulysses will be referred as applicable to the appropriate State or Federal Agency. In special situations warranting intervention to ensure equity, the relevant State or Federal Agency may assume jurisdiction over the matter and the Town of Ulysses will cooperate with any intervening agent to the extent reasonably practicable.

Acceptance of a complaint will be determined by:

- Whether the complaint is timely filed;
- Whether the allegations involve discrimination pursuant to Title VI or other protected class status and/or retaliation.

A complaint may be dismissed for the following reasons

- The complainant requests the withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process complaint;
- The complainant cannot be located after reasonable attempts.

The Town of Ulysses has sole authority and discretion with respect to accepting complaints for investigation. Once the Town decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the acceptance within ten (10) calendar days. The complaint will be assigned a case number and entered into the Town's records identifying its basis and the alleged act of discrimination. Based on the particulars of the complaint, the Town will assign an objective party to investigate the complaint; this would be the contact person for a specific program area, or utilize a third-party if necessary.

In cases where the Town of Ulysses accepts a complaint for investigation, the Town will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of the Town's written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, the Town of Ulysses or the assigned investigator will prepare a written, investigative report for the Town of Ulysses Title VI Coordinator and the Town Supervisor. The report will include a narrative description of the incident, identification of persons interviewed, and findings and recommendations for



disposition. The Town's Title VI Coordinator and Town Supervisor will have 10 calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the Town of Ulysses Legal Counsel for review. Town Legal Counsel will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the Town's Legal Counsel will be reviewed by the Town Supervisor. There will be a period of 10 calendar days for the Town Supervisor to discuss the report and any recommendations with the Town's Title VI Coordinator, and to have the Title VI Coordinator address any modifications before the report's release to any relevant Federal and/or State Agency.

The Town's final investigative report and a copy of the complaint will be forwarded to the appropriate Federal and/or State granting Agency, within 60 calendar days of the acceptance of the complaint.

Records of complaints made pursuant to this Policy will be maintained in the Office of the Town Supervisor at 10 Elm Street, Trumansburg, NY 14886.

**Town of Ulysses  
Title VI of the 1964 Civil Rights Act  
Discrimination Complaint Form**

Instructions: Please fill out this form in black ink or type. Sign and return to the address on the next page. Alternate means of filing a complaint, such as a personal interview or audio recording, will be made available upon request.

Name: \_\_\_\_\_

Home phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Address: \_\_\_\_\_

If known, Department/Departments you believe have discriminated:

\_\_\_\_\_

Where did the alleged discrimination take place?

\_\_\_\_\_

\_\_\_\_\_

When did the alleged discrimination occur? (Date/Time) \_\_\_\_\_

Please provide the basis for your complaint (race, color, national origin, sex, gender, gender identity, etc.) and explain as clearly as possible what happened and why you believe discrimination under Title VI of the Civil Rights Act of 1964 or the Town of Ulysses Nondiscrimination policy occurred. Describe the involvement of all persons you believe were

involved in the discrimination, including any names and contact information you may have. Also

include names/contact information for any individuals who may have witnessed the event.

Attach additional sheets if necessary and copies of any other documentation relevant to your complaint.

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes \_\_\_\_ No \_\_\_\_

If yes, with what agency or court? \_\_\_\_\_

**Town of Ulysses  
Title VI of the 1964 Civil Rights Act  
Discrimination Complaint Form (continued)**

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Do you intend to file with another agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

Agency or Court: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Return to:

Town of Ulysses  
Attn: Blix Taetzsch  
10 Elm Street  
Trumansburg, NY 14886  
[bookkeeper@townofulyssesny.gov](mailto:bookkeeper@townofulyssesny.gov)