

# TITLE VI PLAN

## Senior Meals & Services, Inc.

Title VI prohibits discrimination in all Federal Transit Administration (FTA) services, programs, or benefits on the basis of Race, Color, or National Origin.

### **Title VI Program**

FTA Circular 4702.1B, Chapter III for FTA Subrecipient:

Title VI Requirements & Guidelines for FTA Recipients at

<https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/title-vi-requirements-and-guidelines-federal-transit>

The Federal Transit Administration Title VI Circular 4702.1B provides guidance to grantees on how to comply with Title VI regulations. The circular provides specific compliance information for each type of grantee and provides comprehensive appendices including additional guidance and examples to ensure recipients understand the requirements.

By filling out the required fields you are stating that your board of directors, appropriate government entity, or officials responsible for policy decisions and/or approval of board meeting minutes understand the required FTA Circular 4702.1B, Chapter III regulations and agree to adopt all Title VI Program guidelines:

Date: 8/2023

Title VI Contact Name: Cathy Saele-Odendaal

Title VI Contact Phone: 701-662-5061

Title VI Contact Email: sms@gondtc.com

Title VI Program Requirements

[Attach a copy of the meeting minutes approving this action.]

Title VI Program Requirement

## 1. TITLE VI AND NON-DISCRIMINATION POLICY STATEMENT

Senior Meals & Services, Inc. has developed a Title VI and Non-discrimination Policy Statement *using the template found on the NDDOT Transit Operator portal for subrecipient use at <http://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>*

*Non-discrimination Policy Statement is posted in the transit display case in the office hallway, on the front desk of transit office, and is on our website as well.*

### **VITAL DOCUMENT – TRANSLATE if significant LEP population.**

In addition to the policy statement, an abbreviated "Statement of Non-discrimination" has been created using the template found on the NDDOT Transit Operator Portal for subrecipient use at the link posted above and is displayed in all transit vehicles. **VITAL DOCUMENT – TRANSLATE if significant LEP population.**

## 2. COMPLAINT PROCEDURES/FORMS

Senior Meals & Services, Inc. shall develop complaint procedures and instructions specific to their transit agency. *"If information is needed in another language, then contact 701-662-5061—should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.*

### **Title VI Complaint Procedure**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Senior Meals & Services, Inc. may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.

Senior Meals & Services, Inc. investigates complaints received no more than 180 days after the alleged incident. The Senior Meals & Services, Inc. will process complaints that are complete. Once the complaint is received, the Senior Meals & Services, Inc. will review it to determine if our office has jurisdiction.

The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office. The Senior Meals & Services, Inc. has 14 days to investigate the complaint. If more information is needed to resolve the case, the Senior Meals & Services, Inc. may contact the complainant.

The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the Senior Meals & Services, Inc. can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF).

A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 10 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### **COMPLAINT FORM:**

Senior Meals & Services, Inc. has developed a Complaint Form and instructions specific to their transit agency by using the template found in **BlackCat Global Resources** or on the NDDOT Transit Operator Portal at <http://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>. **VITAL DOCUMENT – TRANSLATE if significant LEP population.**

#### **COMPLAINT LOG:**

Senior Meals & Services, Inc. has adopted NDDOTs Transit Title VI – List of Investigations, Lawsuits, and Complaints, SFN 60805 found in **BlackCat Global Resources** or on the NDDOT Transit Operators Portal at: <http://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>

The completed form has been attached as part of the plan and will be submitted to NDDOT each year upon request.



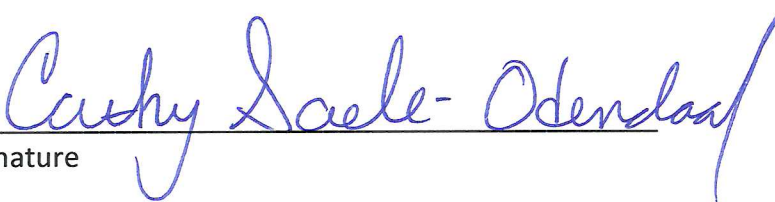
**Senior Meals & Services, Inc.**  
**TITLE VI AND NON-DISCRIMINATION POLICY STATEMENT**

The **Senior Meals & Services, Inc.**, hereinafter referred to as the "TRANSIT AGENCY" is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and statutes. The TRANSIT AGENCY assures that no person or groups(s) of persons shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the TRANSIT AGENCY, regardless of whether those programs and activities are federally funded or not. In addition to Title VI, there are other nondiscrimination statutes which include sex, age, and disability. These requirements define an over-arching Title VI/Nondiscrimination and ADA Program.

The TRANSIT AGENCY also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the TRANSIT AGENCY will provide meaningful access to services for persons with Limited English Proficiency for language assistance free of charge to the person upon request.

In the event the TRANSIT AGENCY distributes federal-aid funds to a subrecipient, the TRANSIT AGENCY will include Title VI language in all written agreements and will monitor for compliance.

The TRANSIT AGENCY's Title VI Coordinator **Cathy Saele-Odendaal, Executive Director, 701-662-5061, 202 4<sup>th</sup> Ave NE Devils Lake, ND 58301, and sms@gondtc.com** is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
8/2/2023  
Date

### 3. TITLE VI NOTICE TO THE PUBLIC (GENERAL REQUIREMENT)

A Title VI Notice to the Public must be displayed to inform a recipient's customers of their rights under Title VI. At a minimum, recipients must post the notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Many agencies display their Title VI Notices in transit facilities (e.g., headquarters, transit shelters and stations, etc.), and on transit vehicles (e.g., buses, rail cars, etc.). **The Title VI Notice is a vital document.** If any of the Limited English Proficient (LEP) populations in your service area meet the Safe Harbor threshold (see Chapter III), then the Notice should be provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. At a minimum, this statement in the Notice — "If information is needed in another language, then contact 701-662-5061" — should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold. See Title VI Non-Discrimination Statement Plaque in **BlackCat Global Resources** Template or in the: <https://www.dot.nd.gov/divisions/localgov/docs/TitleVINon-DiscriminationStatementPlaqueTemplate5-2016.docx>

#### STATEMENT OF NON-DISCRIMINATION

Under Title VI of the Civil Rights Act of 1964, and its related statutes and regulations, no person or groups of persons shall be, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities funded in whole or in part with Federal funds. In addition to Title VI, there are other non-discrimination statutes which include sex, age, and disability. These requirements define an over-arching Title VI/Non-discrimination and ADA Program.

Contact the Project Director at 701-\_\_\_\_\_ to request additional information on our nondiscrimination obligations or to file a complaint. Persons with limited English proficiency may receive language assistance free of charge upon request.

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**This Transportation service is  
Open to the PUBLIC**

#### 4. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BOARDS:

Senior Meals & Services, Inc. has a **non-elected** transit related planning board, advisory councils or committee.

Complete or copy table depicting racial breakdown of the membership.

Board/Council/Committee Name	Caucasian M/F	American Indian M/F	Hispanic/Latino M/F	African American M/F	Pacific Islander M/F	Asian American M/F
Nancy Lundon President	F					
Rob Hach Vice/Pres City Commissioner Rep	M					
Mary Alexander Sec/Tres	F					
Sara Laite	F					
Lisa Crosby	F					
Mike Connor	M					
Bill Hodous Ramsey County Commissioner Rep	M					
Dennis Koenig	M					
Harriet Braken	F					
Cathy Saele-Odendaal Ex. Director	F					

- NO Significant minorities in our area.
- Senior Meals & Services, Inc. has updated their transit related planning board, advisory council, or committee information in the BlackCat System. Download, print, and attach list to this document by using the table above. (All agencies must complete in BlackCat System.)

**5. MONITORING SUBRECIPIENT:** In accordance with 49 CFR 21.9(b), and to ensure that subrecipients are complying with the DOT Title VI regulations, primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance.

- a. To ensure the primary and subrecipient are in compliance with Title VI requirements, the primary recipient shall undertake the following activities:



1. Document its process for ensuring that all subrecipients are complying with the general reporting requirements of this circular, as well as other requirements that apply to the subrecipient based on the type of entity and the number of fixed route vehicles it operates in peak service if a transit provider.
  2. Collect Title VI Programs from subrecipients and review programs for compliance. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.
  3. At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by the primary recipient, the primary recipient shall request that subrecipients who provide transportation services verify that their level and quality of FTA service is provided on an equitable basis. Subrecipients that are fixed route transit providers are responsible for reporting as outlined in Chapter IV of this Circular.
- b. When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds from a primary recipient, the subrecipient/direct recipient reports directly to FTA and the primary recipient/designated recipient is not responsible for monitoring compliance of that subrecipient. The supplemental agreement signed by both entities in their roles as designated recipient and direct recipient relieves the primary recipient/designated recipient of this oversight responsibility. See Appendix L for clarification of reporting responsibilities by recipient category.

## **6. TITLE VI EQUITY ANALYSIS**

- a. No new storage facility, maintenance facility or operations center has been constructed at this time.

## **7. PUBLIC PARTICIPATION PLAN:**

Tri-annually, each subrecipient is required to submit the following as part of their Title VI Plan. For immediate reference please review page(s) 25-26 of FTA C 4702.1B. Additional information can be found on page(s) 20-31 of FTA C 4703.1.

Title VI Public Participation, as required by USDOT Federal Transit Administration, describes the proactive strategies, procedures, and desired outcomes for the subrecipient's public participation activities.

a. General Information Section (Answer the questions below or write a short paragraph describing. See example below.)

Communication will be ongoing with Social Services, Community Options, Vocational Rehabilitation, Human Service Center, Basic Care and Nursing homes in the area ensuring needs are met.

Federal and State government mandate public involvement because it helps to guide department decisions in providing public transportation services. Public involvement also benefits Senior Meals & Services, Inc. and the public by allowing for the development of services that meet the needs of area citizens/customers.

The Federal government mandates public involvement prior to raising fares, implementing major reductions in service, or applying for grants/loans to finance transportation improvement projects.

b. Public Participation/Engagement- Senior Meals & Services, Inc. has wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

#### 1. Public Meetings

i. Every other month board meetings are open to the public and announced on our website, signs are posted on transit buses and in transit office. Communication will be ongoing with Social Services, Community Options, Vocational Rehabilitation, Human Service Center, Basic Care and Nursing home facilities in the area ensuring community needs are met.

ii. How do you inform the public of upcoming meetings and agendas?

Meeting dates are posted on our website, flyers are placed on transit buses along with flyers in the transit office.

iii. Do you employ different meeting sizes and formats to accommodate the minority, disabled, and limited English proficiency (LEP) populations? Senior Meals & Services, Inc. building is handicap accessible, if other language interpretation is needed Senior Meals & Services would use Google translate or a telephone interpreter.



## 2. Coordination

- i. Other agencies – Local churches, local food bank, medical facilities, social services, educational institutions and other organizations provide a medium to educate and solicit feedback on current services.
- ii. Community events - Foot Care Clinic, fundraising socials, contact with Lake Area Career & Technical Center and other community events serve as a way to provide education on our services.
- ii. Interpretation services Google Translate.

## 3. Public Studies

- c. As per requirements of [49 U.S.C. Sections 5307(b)] and [5307(c) (I)] Senior Meals & Services, Inc. will develop and/or consider a process to study public comment before raising a fare or carrying out a major reduction in transportation services.

Senior Meals & Services, Inc. will be implementing surveys that will be located on our website, in transit offices and on transit buses.

### d. Public Outreach Plan

1. How do you advertise? Senior Meals & Services, Inc. utilizes local newspaper ad, radio stations and website.

2. Outreach to minority, LEP, and other underserved populations: What steps are being taken to engage in minority and LEP populations?

- i. Ongoing communication with Social Services, Community Options, and Dakota Prairie Community Options, Human Service Center, VA clinic, basic care facilities, and nursing homes, medical facilities, VFW, Lake Region Homeless Shelter and schools in the area ensuring community needs are met.

### d. Type of Public Involvement

1. Who should be involved? It is important to involve as many individuals as possible in order to gain the support and development of public transportation.

- Current riders
- Non-riders
- Business and community leaders/groups
- Government officials

- City Council and other City Departments
- Faith based community
- Academia and educational institutions
- Medical facilities/long term care centers
- Social Service Agencies
- Veterans

Senior Meals & Services, Inc. work with these agencies to provide services to the underserved populations in our communities. Senior Meals & Services, Inc. works with these agencies on a daily basis and if a new agency arises in the area information is sent out to them detailing the services we provide for our community.

Senior Meals & Services, Inc. has adopted NDDOT Sign-In-Sheet form SFN: 59531 for use at public meetings. The form can be found on the NDDOT website at <https://www.dot.nd.gov/divisions/civilrights/titlevi.htm> under Title VI Forms.

Senior Meals & Services, Inc. has adopted NDDOT Title VI Public Participation Survey form SFN: 60149 as a mechanism for tracking information. This form can be found on the NDDOT website on the <https://www.dot.nd.gov/divisions/civilrights/titlevi.htm> under Title VI Forms.

## **8. LIMITED ENGLISH PROFICIENCY (LEP) PLAN:**

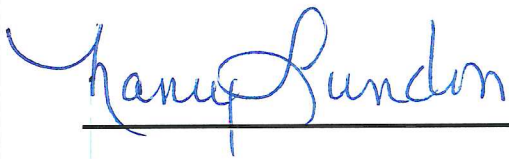
Subrecipients are required to submit a Limited English Proficiency (LEP) Plan as part of their Title VI Program in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. For immediate reference please review FTA C 4702.1B, Chapter III-9.

Senior Meals & Services, Inc. has developed a Limited English Proficiency (LEP) Plan using the template found on the NDDOT Transit Operator Portal for subrecipient use at <http://www.dot.nd.gov/divisions/localgov/transit-operator-portal.htm>.

NDDOT will assist subrecipient by providing demographic data. The demographic data by county will be placed in the **BlackCat System under Global Resources**. This information will be updated by NDDOT as needed.

**Formal Approval Policy**

This Policy has been approved by Senior Meals & Services, Inc. Board of Directors and will be strictly adhered to.



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Board of Directors

Senior Meals & Services, Inc.



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Date of Approval



**SMS BOARD MEMBERS 2/8/2023**

<b>BORD MEMBERS</b>	<b>ADDRESS</b>	<b>POSITION</b>
Nancy Lundon	812 3 <sup>rd</sup> St NE Devils Lake ND, 58301 H 662-5641 C 230-9342	Pres/Chairman Signer At Large
Mary Alexander	211 7 <sup>th</sup> Ave NE Devils Lake, ND 58301 H 662-3967	Sec/Tres At Large Signer
Sara Laite <a href="mailto:sara.laite@ndsu.edu">sara.laite@ndsu.edu</a>	W:524 4th Ave NE #5 Devils Lake, ND 58301 W 662-7027	At Large
Mike Connor	1104 A Agassiz Drive SE Devils Lake, ND 58301 H 662-9438	At Large
Rob Hach	510 14 <sup>th</sup> St NW Devils Lake, ND 58301 C 381-2187 W 662-5391	Devils Lake City Commissioner Vice President
Bill Hodous <a href="mailto:bhodous@nd.gov">bhodous@nd.gov</a>	2305 12 <sup>th</sup> Ave SW Devils Lake, ND 58301 C 739-7990 H 662-4626	Ramsey Co. Commissioner
Dennis Koenig	223-3 <sup>rd</sup> Ave South New Rockford, ND 58356 701-302-0206	Eddy Co. Rep
Lisa Crosby 4639 Oram Rd Devils Lake 701-662-2809/351-5132	W 502 4 <sup>th</sup> St NE Devils Lake, ND 58301-2502 701-662-3701(Work)	At Large
Harriet Bracken	PO Box 237 Leeds, ND 58346 H 701-466-2738	Benson Co. Rep.
<b>MANAGEMENT</b>		
Cathy Saele-Odendaal	1039 2 <sup>nd</sup> ST NE Devils Lake, ND 58301	Executive Director

# STATEMENT OF NON-DISCRIMINATION

Under Title VI of the Civil Rights Act of 1964, and its related statutes and regulations, no person or groups of persons shall be, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities funded in whole or in part with Federal funds. In addition to Title VI, there are other non-discrimination statutes which include sex, age, and disability. These requirements define an over-arching Title VI/Non-discrimination and ADA Program.

Contact the Project Director at 701- 662-5061 to request additional information on our nondiscrimination obligations or to file a complaint. Persons with limited English proficiency may receive language assistance free of charge upon request.

*Senior Meals & Services, Inc.*

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