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# *Title VI*

# *Implementation Plan*

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# Rainbow Acres

# Contents

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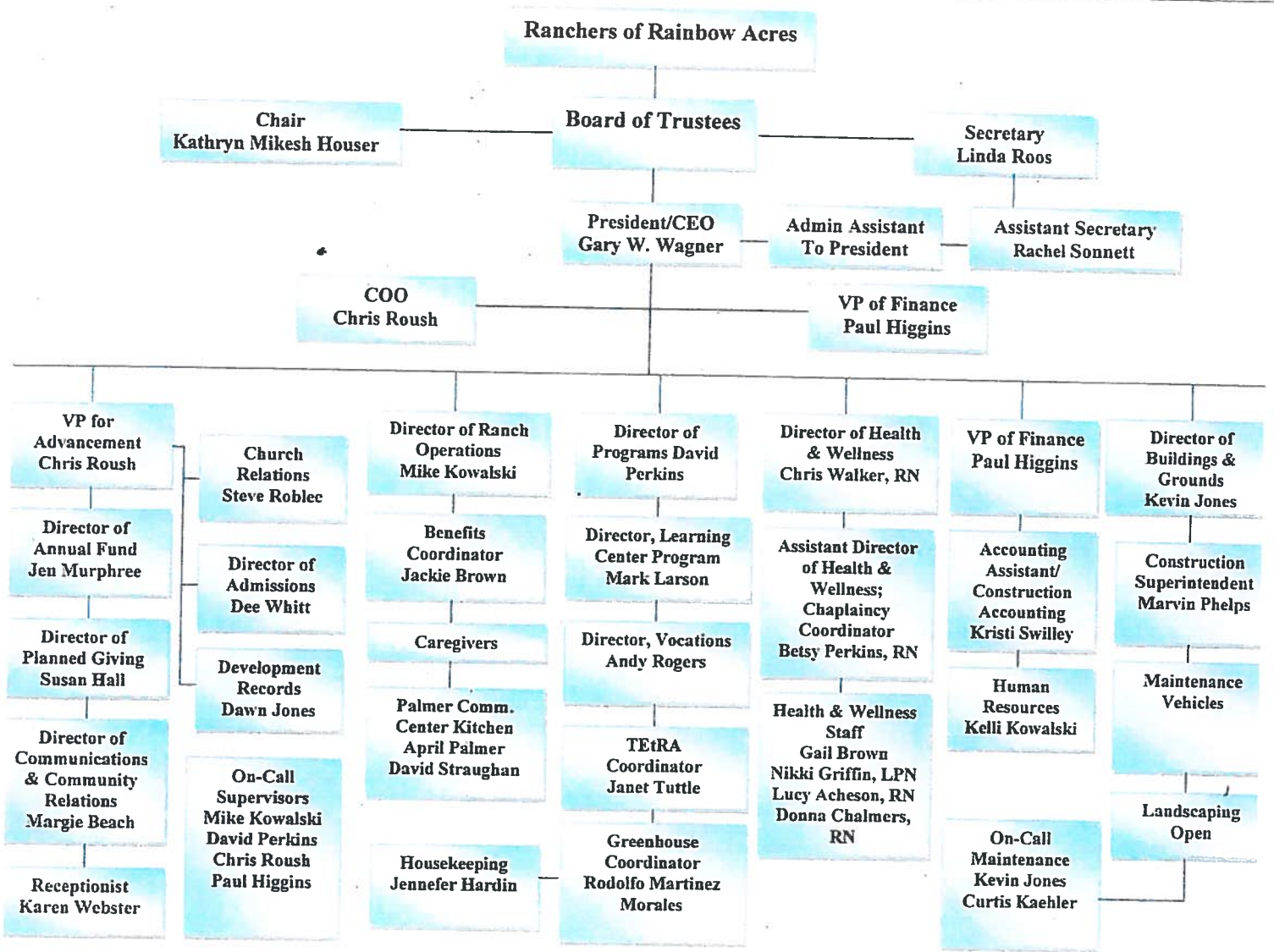
Executive Summary.....	3
Organizational Chart.....	4
Non Discrimination Policy Statement .....	5
Non Discrimination Notice to the Public.....	6
Non Discrimination Notice to the Public -Spanish .....	7
Non Discrimination Complaint Procedures .....	8
Discrimination Complaint Form.....	10
Discrimination Investigations, Complaints, and Lawsuits .....	12
Rainbow Acres’ Public Participation Plan .....	13
Rainbow Acres’ Limited English Proficiency Plan.....	15
Non-elected Committees Membership Table.....	18
Title VI Training.....	19
Monitoring for Subrecipient Title VI Compliance .....	20
Title VI Equity Analysis.....	21
Board Approval for the Title VI Program.....	22

# Executive Summary

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Rainbow Acres is an Assisted Living Facility serving adults with developmental disabilities. We are licensed with the Arizona Department of Health Services. Our Ranchers (as we call our residents) range in age from 20 to almost 80 years old. We have been serving our community of Ranchers, who come from all over the United States, since 1974. Rainbow Acres is governed by a self-perpetuating Board of Trustees and has received 5310 Grant Funds for the purchase of vehicles for approximately 8-10 years.

# Organizational Chart



# Non Discrimination Policy Statement

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Rainbow Acres' policy assures full compliance with Title VI of the Civil Rights act of 1964, the Restoration Act of 1987, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. Title VI states that "no person shall on the grounds of race, color, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination" under any Rainbow Acres sponsored program or activity. There is no distinction between the sources of funding.

Rainbow Acres 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. Furthermore, Rainbow Acres will take reasonable steps to provide meaningful access to services for persons with limited English proficiency.

Although it has not had the occasion to do so in the past, if Rainbow Acres ever finds that it will distribute Federal-aid funds to another entity/person, then Rainbow Acres will ensure all subrecipients fully comply with Rainbow Acres' Title VI Nondiscrimination Program requirements. The President/CEO has delegated the authority to Mike Kowalski, Title VI Program Coordinator, to oversee and implement FTA Title VI requirements.

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Gary Wagner, President/CEO

# Non Discrimination Notice to the Public

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## Notifying the Public of Rights Under Title VI RAINBOW ACRES

Rainbow Acres operates its programs and services without regard to race, color, national origin or disability in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA). Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Rainbow Acres.

For more information on Rainbow Acres' civil rights program, and the procedures to file a complaint, contact Michael Kowalski at 928-567-5231; email [mike@rainbowacres.com](mailto:mike@rainbowacres.com); or visit our administrative office at 2120 W. Reservation Loop Rd., Camp Verde, AZ 86322. For more information, visit [www.RainbowAcres.com](http://www.RainbowAcres.com).

A complainant may file a complaint directly with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **ADOT**: ATTN: Title VI Program Manager 206 S. 17<sup>TH</sup> Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA**: ATTN: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

# Non Discrimination Notice to the Public - Spanish

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## Aviso al Público Sobre los Derechos Bajo el Título VI RAINBOW ACRES

Rainbow Acres (*y sus subcontratistas, si cualquiera*) asegura cumplir con el Título VI de la Ley de los Derechos Civiles de 1964, Sección 504 de la Ley de Rehabilitación de 1973 y La Ley de ciudadanos Americanos con Discapacidades de 1990 (ADA). El nivel y la calidad de servicios de transporte serán provehidos sin consideración a su raza, color, o país de origen.

Para obtener más información sobre Rainbow Acres's programa de derechos civiles, y los procedimientos para presentar una queja, contacte Mike Kowalski, 928-567-5231; o visite nuestra oficina administrativa en 2120 W. Reservation Loop Rd., Camp Verde, AZ 86322. Para obtener más información, visite [www.RainbowAcres.com](http://www.RainbowAcres.com).

El puede presentar una queja directamente con Arizona Department of Transportation (ADOT) o Federal Transit Administration (FTA) mediante la presentación de una queja directamente con las oficinas correspondientes de Civil Rights: ADOT: ATTN Title VI Program Manager 206 S. 17th Ave MD 155A Phoenix AZ, 85007 FTA: ATTN Title VI Program Coordinator, East Building, 5th Floor -TCR 1200 New Jersey Ave., SE Washington DC 20590

*The above notice is posted in the following locations: Administrative Building, Rainbow Acres, 2120 W. Reservation Loop Rd., Camp Verde, AZ 86322.*

*This notice is also posted online at [www.RainbowAcres.com](http://www.RainbowAcres.com).*

# Non Discrimination Complaint Procedures

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These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) as they relate to any program or activity that is administered by Rainbow Acres including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, national origin, or disability may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted Rainbow Acres will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing



her/him whether the complaint will be investigated by Rainbow Acres or submitted to the State or Federal authority for guidance.

- (7) Rainbow Acres will notify the ADOT Civil Rights Office of ALL Title VI complaints within 72 hours via telephone at 602-712-8946 ; email at [civilrightsoffice@azdot.gov](mailto:civilrightsoffice@azdot.gov).
- (8) Rainbow Acres has 60 business days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 15 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 15 business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) 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 30 days after the date of the letter or the LOF to do so.
- (10) A copy of either the closure letter or LOF must also be submitted to ADOT within 72 hours of that decision. Letters may be submitted by hardcopy or email.
- (11) A complainant dissatisfied with Rainbow Acres' decision may file a complaint with the Arizona Department of Transportation (ADOT) or the Federal Transit Administration (FTA) offices of Civil Rights: **ADOT:** ATTN Title VI Program Manager 206 S. 17<sup>TH</sup> Ave MD 155A RM: 183 Phoenix AZ, 85007 **FTA:** Attention Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590
- (12) A copy of these procedures can be found online at: [www.RainbowAcres.com](http://www.RainbowAcres.com).

# Discrimination Complaint Form

<b>Section I:</b>		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
<b>Section II:</b>		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to Section III.</i>		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Section III:</b>		
I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin
<input type="checkbox"/> Disability		
Date of Alleged Discrimination (Month, Day, Year): _____		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.		
_____		
_____		
_____		
<b>Section IV:</b>		
Have you previously filed a Title VI complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

If yes, please provide any reference information regarding your previous complaint.

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**Section V:**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes                       No

If yes, check all that apply:

Federal Agency: \_\_\_\_\_  
 Federal Court: \_\_\_\_\_       State Agency: \_\_\_\_\_  
 State Court : \_\_\_\_\_       Local Agency: \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

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

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

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

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

**Section VI:**

Name of agency complaint is against: \_\_\_\_\_

Name of person complaint is against: \_\_\_\_\_

Title: \_\_\_\_\_

Location: \_\_\_\_\_

Telephone Number (if available): \_\_\_\_\_

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are required below

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below, or mail this form to:  
Rainbow Acres,  
Attn: Director of Operations  
2120 W. Reservation Loop Rd.  
Camp Verde, AZ 86322  
928-567-5231

A copy of this form can be found online at [www.RainbowAcres.com](http://www.RainbowAcres.com).

# Discrimination Investigations, Complaints, and Lawsuits

This form will be submitted annually. If no investigations, lawsuits, or complaints were filed, a blank form will be submitted.

Description/Name	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin or disability)	Status	Action(s) Taken (Final findings?)
<b>Investigations</b>				
1)				
2)				
<b>Lawsuits</b>				
1)				
2)				
<b>Complaints</b>				
1)				
2)				

Rainbow Acres has not had any Title VI complaints, investigations, or lawsuits in 2015.

# Rainbow Acres' Public Participation Plan



# Rainbow Acres

Rainbow Acres is an assisted living community serving adults with developmental disabilities, many with little to no income. Part of Rainbow Acres' mission is to assist its residents, called Ranchers, in obtaining employment in the local community, in taking advantage of volunteer opportunities, in participating in off-campus trips and events, etc. Part and parcel of this assistance is transporting Ranchers in Rainbow Acres'-owned vehicles. As such, Rainbow Acres does not hold "public meetings" as a typical public transit agency would. Ranchers are notified of events in a variety of ways: There is a weekly "Activity Calendar" posted in each of the houses at least seven days in advance; Rainbow Acres annually puts out a schedule of "special" one-day events called "Rancher Vacations" (such as Diamondback or Cardinal games, trips to the zoo or fair, etc.) which allows a Rancher to sign up for and attend any of these events. Any changes to the schedule or to any services offered are given to the Rancher and/or their guardian via letter, e-mail, telephone call, person-to-person conversation, or any combination of the same.

# Rainbow Acres' Limited English Proficiency Plan

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# Rainbow Acres

Rainbow Acres has developed the following Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Rainbow Acres’ services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining Rainbow Acres’ extent of obligation to provide LEP services, Rainbow Acres undertook a U.S. Department of Transportation four-factor LEP analysis which considers the following:

1) **DEMOGRAPHY:** The number or proportion of LEP persons eligible in the Rainbow Acres service area who may be served or likely to encounter by Rainbow Acres’ program, activities, or services is zero. According to the U.S. Census Bureau, 2010-2014, American Fact Finder Survey five year estimates, 1.9% of the Camp Verde, Arizona area population is considered to be Limited English Proficient. This equates to 200 individuals five years of age or older who report speaking English less than “very well.” Under the DOJ’s Safe Harbor provision, it is only necessary to translate materials when five percent or 1,000 persons, whichever is less, speak English less than “very well.” Given the Census Bureau’s statistics, Rainbow Acres does not need to translate vital documents, forms and public notices to meet this requirement.

<b>Camp Verde AZ: Persons with Limited English Proficiency (LEP)</b>	<b>Estimate</b>	<b>% of Persons 5 Yrs. &amp; Over</b>
<b>Total Persons 5 years &amp; Over</b>	10,533	100%
<b>English Speaking Only</b>	9,574	90.9%
<b>Speak a Language Other Than English</b>	959	9.1%
<b>Limited English Proficiency</b>	200	1.9%

2) **FREQUENCY:** The frequency with which LEP individuals come in contact with any of Rainbow Acres’ services is nil. Rainbow Acres is an assisted living community serving adults with developmental disabilities, many of who have little to no income. Some of its residents, called Ranchers, have little to no verbal communication skills. Part of Rainbow Acres’ mission is to assist its Ranchers in obtaining employment in the community, in taking advantage of volunteer opportunities, in participating in off-campus trips and events, etc. Part and parcel of this assistance is transporting Ranchers in Rainbow Acres-owned vehicles.



Rainbow Acres' outreach to potential Ranchers and their families is done via personal contacts, via social media as well as attending community events in Arizona and across the United States. Rainbow Acres does not discriminate on the basis of race, creed, color, national origin, religion, sex, age or disability. In addition, Rainbow Acres has on staff several employees who are bi-lingual, including Spanish and Tamil. These employees are available to assist any LEP person as necessary;

3) **IMPORTANCE:** As stated above, Rainbow Acres operates a community, serving almost 100 adults with Developmental Disabilities who live on its almost 50 acre campus 24/7/365, none of whom have Spanish, or any other language besides English, as their primary or native language. Thus, the number of individuals needing LEP services are nil;

4) **RESOURCES:** Due to fiscal constraints, limited resources and the lack of frequency within which LEP individuals come in contact with Rainbow Acres, Rainbow Acres does not provide interpretation and translation services without advance notice.

#### **Safe Harbor Provision**

Rainbow Acres complies with the Safe Harbor Provision, as evidenced by the number of documents available in the Spanish language. With respect to Title VI information, the following shall be made available in Spanish:

- (1) Title VI Notice
- (2) Complaint Procedures
- (3) Complaint Form

# Non-elected Committees Membership Table

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A subrecipient who selects the membership of transit-related, non-elected planning boards, advisory councils, or committees must provide a table depicting the membership of those organizations broken down by race. Subrecipients also must include a description of the efforts made to encourage participation of minorities on these boards, councils, and committees.

Rainbow Acres does NOT select the membership of any transit-related committees, planning boards, or advisory councils.

Rainbow Acres has a Board of Trustees that is self-perpetuating. Potential nominations to the Board are received from a variety of sources, including Rainbow's President/CEO, its Executive Staff, as well as current and former Board members and friends of Rainbow. There are 21 members on the current Board of Trustees: 13 men and 8 women with diverse backgrounds, including Native American, Filipino-American, Portuguese-American and El Salvadorian-American. The Executive Committee of the Board consists of the Chair, Past-Chair, Vice Chair, Secretary and Treasurer; all but the Past Chair and Vice Chair positions are held by women.

# Title VI Training

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Rainbow Acres provides all new hires with its Title VI Implementation Plan. In addition, all employees are provided any updates to the plan. Rainbow Acres' Director of Operations and Director of Buildings & Grounds attend 5310 seminars and briefings given by ADOT throughout the year, the latest having occurred on February 29, 2016.

# Monitoring for Subrecipient Title VI Compliance

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Rainbow Acres does NOT have any subrecipients and therefore does not monitor any for Title VI compliance.

# Title VI Equity Analysis

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A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. “Facilities” in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

There are many steps involved in the planning process prior to the actual construction of a facility. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The Title VI Equity Analysis must be done before the selection of the preferred site.

*Note: Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives any FTA dollars, it must comply with this requirement.*

Rainbow Acres has no current or anticipated plans to develop new transit facilities covered by these requirements. No facilities covered by these requirements have been developed since approximately 1974.

# Board Approval for the Title VI Program

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RESOLVED BY A QUORUM OF THE ENTIRE  
RAINBOW ACRES' BOARD OF TRUSTEES

Be it hereby resolved that the Rainbow Acres' Title VI Implementation Plan is hereby approved by the Rainbow Acres' Board of Trustees.

Dated: April 9, 2016

  
Kathryn M. Mikesh Houser  
Chair of the Board

  
Linda Roos  
Secretary