

ELDERHAUS ADULT DAY PROGRAM, INC.

TITLE VI PLAN

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

ELDERHAUS ADULT DAY PROGRAM, INC.

TITLE VI POLICY STATEMENT

Elderhaus Adult Day Program, Inc. (Elderhaus) is committed to assuring full compliance, and is prohibited by law from violating, all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal assistance. These laws include but are not limited to Title VI of the Civil Rights Act of 1964 ("Title VI"), the Civil Rights Restoration Act of 1987 (P.L. 100.259), Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1972. Elderhaus does not, on the grounds of race, color, national origin, creed, religion, sex, disability, age, gender identification or sexual orientation, discriminate against persons in the provision of its programs, services or activities. Title VI, its implementing regulations, and relevant executive orders require that no person in the United State of America shall be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination.

Elderhaus provides language access services at no charge to persons, who have limited ability to read, write or speak English and wish to utilize services, programs or activities offered by Elderhaus. These services include interpreters and translation of documents or portions of documents. These services will be provided by outside sources if not available internally.

Dr. Tim McLemore, Executive Director and Reneica Hanck, Compliance Officer will be responsible for ensuring and monitoring Elderhaus compliance with Title VI.

Date of adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

I. 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, creed, religion, sex, disability, age, gender identification or sexual orientation, 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 (please refer to 28 Code of Federal Regulations §§42.101 - 42-412 and 28 CFR §50.3).

Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of "program or activity" to include all of the operations of any state or local department or agency to which the federal assistance is extended (Public Law 100-259 [2.557] March 22, 1988). Elderhaus is a local 501c3 non-profit entity receiving federal financial assistance and discrimination in violation of Title VI is prohibited.

Additional authorities and citations include Executive Order 13166, 67 Federal Register 41464, Executive order 12250, and Executive Order 12898.

II. Title VI Responsibilities

Elderhaus Adult Day Program, Inc.
Executive Director
Dr. Tim McLemore
(970) 221-0406

Elderhaus Adult Day Program, Inc.'s Title VI Coordinator
Compliance Officer
Reneica Hanck
(970) 221-0406

The Executive Director is responsible for ensuring implementation of the Elderhaus Title VI program. Elderhaus Title VI Coordinator, on behalf of the Executive Director, is responsible for overall management of the Title VI program for Elderhaus.

Elderhaus Title VI Coordinator is responsible for the following:

- 1) Process complaints received by Elderhaus regarding compliance with Title VI, Elderhaus Title VI plan and any plan or policy addressing language assistance to LEP persons;
- 2) Develop Title VI information for dissemination to the general public and where appropriate, in languages other than English;
- 3) Compile statistical and needs assessment data related to race, color and national origin of participants in and beneficiaries of Elderhaus programs, services and activities;
- 4) Review Elderhaus programs, projects, services and activities to ensure compliance with Title VI requirements;
- 5) Make recommendations to the Executive Director regarding changes to Elderhaus practices or policies in order to better achieve compliance with Title VI;

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

- 6) Develop and conduct or facilitate training programs related to Title VI requirements;
- 7) Annually prepare a Title VI report that documents progress, accomplishments, Impediments and opportunities for improvement in fulfilling the objectives of this Title VI Plan.

III. Program Administration

A. Continued compliance efforts:

Elderhaus will continue its practice of proactively implementing measures, policies and programs to aid Elderhaus in its compliance with Title VI. If Elderhaus identifies a policy or program that appears to be out of compliance with Title VI, Elderhaus will modify such policy or program to bring it into compliance with Title VI. One of Elderhaus' initiatives designed to aid Elderhaus in its compliance with Title VI is Elderhaus' language access plan.

B. Public Dissemination of Information:

The Title VI Coordinator shall assist Elderhaus staff in the creation and dissemination of Title VI program information to Elderhaus employees, persons protected from discrimination under Title VI and the general public. Information dissemination efforts may include: posting notices and statements setting forth Elderhaus' non-discrimination policy in public places and on Elderhaus website.

C. Complaints:

1) Filing complaints-

If a person believes that he or she or any other person or specific class of persons has been discriminated against by Elderhaus on the basis of race, color or national origin in violation of Title VI, he or she has the right to file a complaint with the Elderhaus' Title VI Coordinator. The complaint should be documented in writing on a Title VI Complaint Form. The complaint form and the notice of non-discrimination are contained within and will also be available at the following website: www.elderhaus.org. Also, a complaint form can be obtained by calling the Elderhaus Title VI Coordinator at (970) 221-0406.

Any Title VI complaint must be in writing or provided verbally so that it can be put in writing and filed with the Elderhaus' Title VI Coordinator within sixty (60) days following the date of the alleged discriminatory act or decision.

Individuals may also file a discrimination complaint directly with the appropriate federal or enforcement agency. See Elderhaus' Notice of Non-Discrimination for more information about filing a complaint with federal agencies.

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

Some examples of conduct that may be a violation of Title VI include but not limited to the following:

- a) An individual is denied participation in or receipt of a service offered by Elderhaus because of the individual's race, color or national origin;
- b) An individual is provided a service or benefit which is different or provided in a different manner from that provided to others who participate because of the individual's race, color or national origin;
- c) An individual is denied the opportunity to participate in or receipt of a service or benefit offered by Elderhaus because the person does not or has limited ability to speak, read or write English.

The Discrimination Complaint Form should be submitted to Elderhaus Title VI Coordinator as soon as possible, but no later than sixty (60) days after the alleged violation.

A complete Title VI Complaint Form should be mailed to the following address:

Title VI Coordinator
6813 S College Ave
Ft Collins, CO 80525

or sent via email to the following address:

tim@elderhaus.org

or

reesa.elderhaus@gmail.com

2) Role of the Title VI Coordinator-

Elderhaus Title VI Coordinator position is administrative in nature. The role of the Title VI Coordinator is to assist persons in understanding Elderhaus' non-discrimination policies and procedures in relation to compliance with Title VI. The Title VI Coordinator is an impartial administrator who neither advocates for nor is an adversary to a person who wants to or has filed a Title VI complaint. The Title VI Coordinator's responsibility is to ensure the proper administration of the Title VI complaint process.

3) Other complaint filing options-

If an individual believes he or she or a specific class of persons has been discriminated against in violation of Title VI, that individual also has the right to file a complaint with an external entity such as the U.S. Department of Justice ("DOJ") or the U.S. Department of Housing and Urban Development ("HUD").

Please see Elderhaus' Notice of Non-Discrimination for more information about ways to file a complaint with the DOJ or HUD.

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

4) Processing of complaints filed with Elderhaus-

Within 30 days of receiving the written complaint, the Title VI Coordinator, upon authorization by the Executive Director, will notify the complainant of its receipt. The Title VI Coordinator will attempt to discuss the complaint with the complainant and any Elderhaus staff members or others who are involved with the complaint and will attempt to resolve the complaint informally.

If the Title VI Coordinator determines further investigation is warranted, he or she shall mail to the complainant a notice of continuing investigation ("NCI") within fifteen (15) days of notifying the complainant of receipt of the completed Title VI Complaint Form. If appropriate, the Title VI Coordinator may also arrange to meet with the complainant to discuss the matter and possible resolution. If the matter is not resolved informally, the Title VI Coordinator shall respond with his or her final response, in writing, within forty-five (45) calendar days after the NCI is sent to the complainant.

If the Title VI Coordinator's final response does not satisfactorily resolve the matter, the complainant or complainant's authorized representative may appeal the decision of the Title VI Coordinator, in writing, to:

Gordon Thayer, Board Chair
6813 S College Ave
Ft Collins, CO 80528

Complainant shall file his or her appeal, including a detailed description of its basis, no later than thirty (30) calendar days after the date of the Title VI Coordinator's final written response. Within thirty (30) calendar days after receipt of the appeal, the Board Chair, Gordon Thayer, will designate a third party (not an employee of Elderhaus) to act as appeal officer (the "Appeal Officer"). The Appeal Officer shall attempt to meet with the Complainant to discuss the complaint and possible resolution. The Appeal Officer will be an attorney or someone who is well-versed in Title VI law, rules and regulations. Within forty-five (45) calendar days after the filing of the appeal, the Appeal Officer shall respond, in writing, with a final resolution of the complaint.

At that point, the complainant may investigate his or her options for further action, including but not limited to those described in subsection 3 above.

The Title VI Coordinator, the Board Chair, or designee and the Appeal Officer may extend the deadlines noted herein for cause and with notification to the complainant.

6) Records retention-

Elderhaus Title VI Coordinator will maintain the following materials for a period of three (3) years:

- Written complaints received by the Title VI Coordinator
- Final response of the Title VI Coordinator
- Final resolutions by the Appeals Officer.

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019


Updated: May 29, 2019

D. Title VI Program Reviews:

Elderhaus will conduct an annual Title VI program review ("Program Review") to assess Elderhaus effectiveness in ensuring compliance with Title VI requirements. The Program Review will be conducted by the Title VI Coordinator and will include an evaluation of administrative procedures and staff efforts to adopt Title VI-related processes or procedures into operational practice, review of operational guidelines for staff and an assessment of resources available to ensure compliance with the Title VI requirements.

E. Title VI Plan Report


The Title VI Coordinator will annually prepare Title VI report to be submitted to the Elderhaus Board Chair on or before November 1st of each year. The Title VI Report will be based on the data compiled as a result of the Program Review. The Title VI Report shall include an executive summary; a list of programs subject to the Title VI requirements; a summary of any complaints of violations of the Title VI requirements and how each complaint was resolved; a summary of Title VI training provided or received; and a general assessment of the Title VI compliance by Elderhaus.



Elderhaus-Executive Director

5/29/2019

Date



Elderhaus-Board Chair

5-29-2019

Date

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

NOTICE OF NON-DISCRIMINATION

Elderhaus gives public notice that it is committed to assuring full compliance with, and is prohibited by law from violating, Title VI of the Civil Rights Act of 1964 ("Title VI"), the Civil Rights Restoration Act of 1987 (P.L. 100.259) as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478 and 12086. Elderhaus does not discriminate on the grounds of race, color, national origin, sex, religion, creed, marital status or age against any person in the provision of its programs, services or activities. In addition, Elderhaus Adult Day Program, Inc. assures that it will provide meaningful language access to its programs, services and activities for persons with limited English proficiency.

Any person who believes they have been discriminated against in violation of these laws has a right to file a complaint with Elderhaus, the U.S Department of Justice, or the U.S Department of Housing and Urban Development.

Elderhaus has identified Title VI Coordinator as Reneica Hanck, (contact information below) who is responsible for initiating and monitoring compliance with the above-referenced laws and preparing reports and other responsibilities. To file a complaint with Elderhaus call (970) 221-0406 or visit this website in order to access a complaint form: www.elderhaus.org

Reneica Hanck, Compliance Officer
6813 S College Ave
Ft Collins, CO 80525
970-221-0406
reesa.elderhaus@gmail.com

To file a complaint with the U.S. Department of Justice, please visit this website: <http://www.justice.gov/crt/complaint/> or call the Department of Justice at (888) 848-5306 for English and Spanish (ingles y Espanola) or (202) 307-2678 (TDD).

To file a complaint with the U.S. Department of Housing and Urban Development, please visit this website: <http://www.hud.gov/fairhousing> or call 1-800-669-9777 for English and Spanish.

For more information or to make a verbal complaint, call (970) 221-0406 and ask to speak to the Elderhaus Title VI Coordinator or send an email in any language to reesa.elderhaus@gmail.com

Date of Adoption: October 22, 2013
Updated: January 23, 2018
Updated: January 28, 2019
Updated: May 29, 2019

DISCRIMINATION COMPLAINT FORM

Title VI of the Civil Rights Act of 1964 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." Title VIII of the Civil Rights Act of 1964 as amended 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).

Note: the following information is necessary to assist Elderhaus in processing a discrimination complaint. If any person interested in filing complaint, needs assistance, including interpretation or translation assistance, please contact the Elderhaus Title VI Coordinator via email- reesa.elderhaus@gmail.com or by calling (970) 221-0406

Complete this form and return it to:

Title VI Coordinator
Elderhaus
6813 S College Ave
Ft Collins, CO 80525

Or send the form by email to: reesa.elderhaus@gmail.com

1. Complainant Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Business: _____

2. Person discriminated against (if other than complainant)

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Business: _____

3. Which of the following best describes the reason you believe the discrimination took place?
(Check all that apply)

____ Race ____ Color ____ National Origin ____ Limited English Proficiency

4. Elderhaus department or program complaint is about:

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Business: _____

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019

5. Date of incident resulting in complaint: _____

6. In your own words, describe the circumstances leading to this complaint. What happened and who was responsible? If possible, provide names of the individuals involved. For additional space, attach additional sheets of paper as necessary.

7. If you've not already provided this in response to number 6 above, where did the incident take place? Please provide as much information about the location as possible.

8. Were there any witnesses to the incident? If yes, please provide as much information as possible about any witness or witnesses.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Business: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Business: _____

9. Have any efforts been made to file or resolve this complaint through other agencies or entities?

Yes No

If yes, what is the status of the grievance?

10. Have you filed a complaint about this same incident with any other federal, state or local governmental agency or with a federal or state court? Please check any that apply.

___ Federal agency: _____

___ Federal court: _____

___ State agency: _____

___ State court: _____

___ Local agency: _____

___ Other: _____

Date of Adoption: October 22, 2013

Updated: January 23, 2018

Updated: January 28, 2019

Updated: May 29, 2019