

## Devereux Advanced Behavioral Health 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.” Devereux Advanced Behavioral Health shall also provide appropriate transportation services to individuals without discrimination pursuant to Title III of the Americans with Disabilities Act, the Rehabilitation Act of 1973 (ADA). If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint.

Please print CLEARLY:

<b><u>Section I:</u></b>			
Name:			
Address:			
City, State, Zip Code:			
Telephone Number: (home)		(cell)	
Accessible Format Requirements?    Large Print    TDD    Audio Tape			
Other:			

<b><u>Section II:</u></b>	
Are you filing this complaint on your own behalf?    YES*    NO	

If you answered YES to this question-go to <b>Section III</b>
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 you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

<b><u>Section III:</u></b>
I believe the discrimination I experienced was based on (check all that apply):
_____ race*    _____ color*    _____ National Origin*    _____ ADA
What was the date of the 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:
*Denotes Title VI requirements.

**Section IV:**

Have you previously filed a Title VI complaint with this agency?


**Section V:**

Have you filed a Title VI 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 Court: \_\_\_\_\_

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

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

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

Name:

Title:

Agency:

Address:

Phone: \_

**Section VI:**

Name of agency compliant is against:

Contact person:

Title:

Phone:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

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Your Signature

Date

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Print your name

Please submit this form in person at the address below, or mail this form to:

**Stephen Bruce  
Vice President of Operations—Adult Services  
Devereux Advanced Behavioral Health  
444 Devereux Drive  
Villanova, PA 19085**

## **Devereux Advanced Behavioral Health**

### **Title VI Statement of Policy and Complaint Process**

#### **Title VI Policy and Complaint Process**

Devereux Advanced Behavioral Health grants equal access to its programs and services to all its individuals. This document serves to make individuals aware of their rights to such access, and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.

**WHAT IS TITLE VI?** Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States shall on the grounds 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." Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

#### **DEVEREUX'S TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by Devereux. These 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. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and Devereux may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file separate complaints.

1. A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. A Devereux Title VI complaint form can be obtained from the Devereux office. Devereux encourages individuals to submit Title VI complaints in writing using this form and mailing it to:

**Stephen Bruce**  
**Vice President of Operations—Adult Services**  
**Devereux Advanced Behavioral Health**  
**444 Devereux Drive**  
**Villanova, PA 19085**

2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Devereux Pennsylvania State Office. Under these circumstances, the complainant will be interviewed, and the Devereux Pennsylvania State Office Director of Human Resources will assist the complainant in completing a written statement.
3. When a complaint is received, the Devereux Pennsylvania State Office Director of Human Resources will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail or hand delivery.
4. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

Within 15 business days from receipt of a complete complaint, Devereux will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Pennsylvania State Director and Vice President of Operations or his/her authorized designee will notify the Complainant and Respondent, by registered mail or hand delivery informing them of the disposition.

- a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
  - b. If the complaint is to be investigated, the notification shall state the grounds of Devereux's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
5. When Devereux does not have sufficient jurisdiction, the Pennsylvania State Director and Vice President of Operations or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
6. If the complaint has investigative merit, the Pennsylvania State Director and Vice President of Operations or his/her authorized designee will instruct the Devereux Pennsylvania State Office Director of Human Resources to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Pennsylvania State Director and Vice President of Operations within 60 days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Devereux Pennsylvania State Office Director of Human Resources will notify the appropriate authorities, and an extension will be requested.
7. The Pennsylvania State Director and Vice President of Operations or his/her authorized designee will issue letters of finding to the complainant and Respondent within 90 days from receipt of the complaint.
8. If the Complainant is dissatisfied with Devereux's resolution of the complaint, he/she has the right to file a complaint in the time allotted by law with:

**Federal Transit Administration Region 3  
1760 Market Street Suite 500  
Philadelphia, PA 19103-4124  
(215) 656-7100 (telephone)  
(215) 656-7260 (fax)**

## **POSTING OF PUBLIC NOTICE**

Public notice of Title VI Policy and Complaint Procedures is posted in each vehicle and at the Devereux Offices.

**Devereux Advanced Behavioral Health**  
**Title VI Statement of Approval**

I, Stephen Bruce, Pennsylvania State Director and Vice President for Operations for Devereux Advanced Behavioral Health, do hereby certify and that I have reviewed and approved the Title VI Program for this organization.



11/10/21

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Stephen Bruce

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Date

Vice President for Operations—Adult Services

Devereux Advanced Behavioral Health



## **Devereux Advanced Behavioral Health**

### **PUBLIC NOTICE**

#### **Title VI Statement of Policy and Public Notice**

Devereux Advanced Behavioral Health assures full compliance with Title VI of the Civil Rights Act of 1964, as amended and its related statutes. No person is excluded from participation in, denied the benefits of its services, or otherwise subjected to discrimination on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes that he or she has been unlawfully discriminated against may file a formal complaint with Devereux Advanced Behavioral Health within 180 days following the date of the alleged incident.

For more information regarding civil rights complaints, please contact:

**Stephen Bruce**  
**Vice President of Operations—Adult Services**  
**Devereux Advanced Behavioral Health**  
**444 Devereux Drive**  
**Villanova, PA 19085**

## **Section 5310 Grant Requirements of Service Providers (Chapter IV)**

Devereux Advanced Behavioral Health has developed service standards and policies for all fixed route modes of operation to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin.

Devereux Advanced Behavioral Health's transportation services include healthcare coordination and medical appointments; daily living activities such as trips to grocery stores, drugstores, clothing retailers and the like; school and educational activities; day programs and community integrated employment experiences; and family therapies and engagement activities. In addition, Devereux staff strive to provide enrichment activities at every turn, especially when offered in the community, and provide transportation to and from activities. A sample of these activities include cultural and sporting events across the area; participation in Adult Boy Scouting; competing in Special Olympics and other recreational leagues; walking trails in local parks; trips to restaurants, movie theaters and museums; and service learning and volunteer activities in the community.

The primary beneficiaries provided transportation services by Devereux are the individuals served which include individuals with intellectual and developmental disabilities, autism spectrum disorders and emotional and behavioral health disorders. It is Devereux's policy to practice nondiscrimination in services. All activities, with regard to referrals, admissions, placement of individuals, and provision of services are conducted without regard to race, color, religious creed, ancestry, national origin, sex, sexual orientation, gender, or gender identity or expression. As appropriate, transportation services may also be provided to Devereux staff to chaperone individuals throughout the community, as well as families of individuals served to facilitate family therapies and family engagement. In addition, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes are not determined on the basis of race, color, or national origin.

Vehicle load is a measurement of the maximum amount of passengers that can be on board at one time. In general, our transportation department vehicles will transport up to six clients at any given time. Due to individual client's behavior, we may elect to transport fewer than six to maintain a safe environment for the other clients and driver. Specifically, for those vehicles acquired from the Section 5310 grant, we anticipate six clients to be transported, including those in a wheelchair, in this eight-passenger vehicle. These vehicles will run Monday through Friday, major holidays excepted.

Vehicle headway is a measurement of the level of service for a specific route. It is our intention to establish fixed routes in a way which minimizes the amount of time a client

will spend in the van. Optimally, we strive for no more than 60 minutes, with some significantly less. In rural northeast Pennsylvania, there may be clients that ride with us for 75-90 minutes. Additional vehicles acquired from the grant may allow us to rework routes and lower that maximum time.

On-time performance is a measurement of trips that arrive/depart within pre-determined time frame. Day program activities generally start at 9:00am and it is our goal for all program participants to arrive within 15 minutes of that start time. Devereux's on-time performance standard is that all trips system-wide are to operate 95% on-time and a trip is considered on-time if it arrives/departs within fifteen minute earlier to fifteen minutes later than the scheduled/published time. Each route includes specified time points along the route, but these pick up times can be affected by weather, client behavior, construction, and client mobility. Allowing a fifteen-minute window creates a less stressful environment for all involved.

Service availability is a general measure of the distribution of routes within a transit provider's service area. Because Devereux Advanced Behavioral Health services clients with intellectual and developmental disabilities, we offer door-to-door service to all our day program clients.

Any transit amenities and vehicle assignments are determined solely on the needs of the individual clients on a particular route. Wheelchair vans are used on those routes where one or more clients are immobile or wheelchair bound. Six passenger mini-vans may be used where there are no mobility issues with those clients.

### **Section 5310 Grant Requirements of Service Providers (Public Participation Plan)**

Devereux Advanced Behavioral Health will implement ways to engage the sponsoring agency for Devereux's transportation services, and the individuals served by Devereux's transportation services. To accomplish these goals Devereux will:

1. Annually arrange a phone call or meeting with sponsoring agencies to ensure that Devereux complies with and understands broader community transportation needs, and ensures that Devereux provides an otherwise unmet public service by offering transportation to clients.
2. Engage clients in annual discussions with Devereux to ensure that the needs of Devereux's population are being met through the provided transportation options.

### **Section 5310 Grant Requirements of Service Providers (Four Factor Analysis)**

Devereux Advanced Behavioral Health will annually evaluate services and accommodations for individuals with "Limited English Proficiency" through the Four Factor Analysis identified by PennDot. The Four Factors to consider are:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient
2. The frequency with which LEP persons come into contact with the program
3. The nature and importance of the program, activity, or service provided by the program to people's lives
4. Resources available to the recipient for LEP outreach as well as costs associated with that outreach

Devereux faces unique challenges as services are provided almost exclusively to individuals with disabilities, who may have trouble communicating, or otherwise engaging in conversation. As Devereux provides services tailored to each individual client, language needs are met throughout the program, including in the use of transportation. Community, and communication skills are part of Devereux's treatment, and staff are appropriately trained on how best to provide treatment and assistance to clients in the community.

Devereux will continue to work with each individual client served to ensure that transportation information is communicated to them in the most appropriate manner.

