

Title VI Program

Whitley County
Council on Aging

Approved Date

2/4/2016

**Whitley County Council on Aging and Aged, Inc.
(WCCOA) / Whitley County Transit**

Title VI Plan - Section 5310/5311

Adopted on: January 21, 2013

Adopted by: Whitley County Council on Aging &
Aged, Inc. Board of Directors

Revised on: February 4, 2016

This policy is hereby adopted and signed by:

Name/Title: Thor Hodges, WCCOA Board Chairman

Signature:

Policy Statement

Whitley County Council on Aging and Aged, Inc./Whitley County Transit as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Indiana Department of Transportation (INDOT) will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

Title VI Plan Elements

The Whitley County Council on Aging and Aged, Inc. / Whitley County Transit Title VI plan includes the following elements:

1. *Evidence of Policy Approval*
2. *Notice to the Public*
3. *Complaint Procedure*
4. *Complaint Form*
5. *List of transit related Title VI Investigations, Complaints and Lawsuits*
6. *Public Participation Plan*
7. *Language Assistance Plan*
8. *Minority Representation Table and Description*

Attachment 1: Whitley County LEP Data (Whitley County information inserted under 1.)

Attachment 2: US Census Fact Bureau; Indiana Business Research Center

Attachment 3: Board of Directors Matrix

TITLE VI Notice to the Public

The Whitley County Council on Aging and Aged, Inc. (WCCOA) / Whitley County Transit Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

Whitley County Council on Aging and Aged, Inc. / Whitley County Transit

- ✓ WCCOA / Whitley County Transit operates its programs and services without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with WCCOA.
- ✓ For more information on the WCCOA civil rights program, and the procedures to file a complaint, contact Debra Darr, 260-248-8944, (TTY 800-743-3333); email debra@wccoabiz.com; or visit our administrative office at 710 N. Opportunity Drive, Columbia City, IN 46725. For more information, visit www.whitleycountycouncilonaging.com
- ✓ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact Debra Darr, 260-248-8944.

The WCCOA Notice to the Public is posted in the following locations:

- X Agency website [www.whitleycountycouncilonaging.com]
- X Public areas of the agency office (common area, public meeting rooms, etc.)
- X Inside vehicles
- X Rider Guides/Schedules
- X Other: Newsletter

Title VI Complaint Procedure

The **WCCOA** Title VI Complaint Procedure is made available in the following locations:

- X Agency website, either as a reference in the Notice to Public or in its entirety
 - X Hard copy in the central office
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Any person who believes she or he has been discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin by WCCOA may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. WCCOA investigates complaints received no more than 180 days after the alleged incident. WCCOA will process complaints that are complete.

Once the complaint is received, WCCOA 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.

WCCOA has 15 days to investigate the complaint. If more information is needed to resolve the case, the city 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 city 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 (2) 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.
- ✓ A letter of finding (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 15 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.

If information is needed in another language, then contact Debra Darr 260-248-8944.

Title VI Complaint Form

The Whitley County Council on Aging and Aged, Inc. Title VI Complaint Procedure is made available in the following locations:

- X Agency website, either as a reference in the Notice to Public or in its entirety
- X Hard copy in the central office

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
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.			Yes	No
Section III:				
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"/> Sex <input type="checkbox"/> Gender Identity <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion				
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. _____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No
Section V				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?				

<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> 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:	
Contact person:	
Title:	
Telephone number:	

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

Signature and date required below:

Printed Name

Signature Date

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

Whitley County Council on Aging
 710 Opportunity Drive
 Columbia City, IN 46725
 Attn: Executive Director

List of Transit Related Title VI Investigations, Complaints and Lawsuits

Check One:

There have been no investigations, complaint and/or lawsuits filed against us during the report period.

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, religion, sex, sexual orientation, gender identity, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Public Participation Plan

Strategies and Desired Outcomes

To promote inclusive public participation, WCCOA will use its resources available to employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Expand traditional outreach methods. Think outside the box: go to hair salons, barbershops, street fairs, faith-based institutions, libraries, etc.
- ✓ Select accessible and varied meeting locations and times.
- ✓ Employ different meeting sizes and formats.
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement.
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

Documented Public Outreach

The direct public outreach and involvement activities conducted by WCCOA are summarized in the table below. Efforts include *meetings, surveys, focus groups, etc.*

Information pertinent to each event and/or activity will be provided to INDOT upon request. Examples include copies of: meeting announcements, agendas, posters, attendee list, etc.

Event Date	Section 5310/5311 grantee Staffer(s)	Event	Date Publicized and Communication Method (Public Notice, Posters, Social Media)	Outreach Method (Meeting, Focus Group, Survey, etc).	Notes
3 rd Wednesday of each month	Director	Whitley Connections United Way	Social Media	Focus Group	
October each year	Office Assistant	WCT survey	October every year	Senior Caller newsletter	
October 9, 2015	All staff & volunteers	WCCOA Senior Fair	Newspapers, flyers, newsletter, social	Event	

			media		
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Language Assistance Plan

Plan Components

As a recipient of federal US DOT funding, WCCOA is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons.

Limited English Proficient (LEP): Refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Most individuals in Indiana read, write, speak and understand English. There are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or “LEP.”

The WCCOA Language Assistance Plan includes the following elements:

- X The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
- X A description of how language assistance services are provided by language.
- X A description of how LEP persons are informed of the availability of language assistance service.
- X A description of how the language assistance plan is monitored and updated.
- X A description of how employees are trained to provide language assistance to LEP persons.
- X Additional information deemed necessary.

Methodology

To determine if an individual is entitled to language assistance and what specific services are appropriate, WCCOA has conducted a *Four Factor Analysis*¹ of the following areas: 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

LEP Four Factor Analysis

- ✓ **Factor 1: Demography:** What is the number or proportion of LEP persons served and the languages spoken in the service area? *The number of LEP persons served is 0 and the multilingual or non-English languages spoken are (1.3%) Spanish, (.6%) Indo-European and (.1%)Asian and Pacific Island.*

Overview

The first factor of the *Four Factor Analysis* is the basis of the Language Assistance Plan. It requires WCCOA review its US Census data to determine if it meets the *LEP Safe Harbor Threshold*.

US Census and American Community Survey (ACS) Data²
WCCOA did the following:

1. Inserted a copy of WCCOA’s county LEP data in the Title VI plan. This data was found at:
<http://www.migrationpolicy.org/sites/default/files/datahub/LEPstate-countyData.xlsx>

State	County	Total Population	Total LEP Population	Language 1 (name)	Language 1 (LEP number)	Language 1 (LEP % of total pop)
Indiana	Whitley County	31,000	200			

2. Analyzed the LEP demographic data for the WCCOA program and/or service area by calculating the *Safe Harbor Threshold* for two to three of the largest language groups identified other than English.
 - a. The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that “Speaks English less than very well” by the total population of the county.
 - i. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less) WCCOA must provide translation of vital documents in written format for the non-English users.
 - ii. Examples of written translation of vital documents include the Title VI policy statement and/or Notice to the Public (Appendix 2), Title VI Complaint Procedure (Appendix 3), Title VI Complaint Form (Appendix 4), and ADA paratransit eligibility forms.
3. Explained the results of the analysis of the county LEP data in the demographic section of the *Four Factor Analysis*.

✓ **Factor 2: Frequency:** How often does your staff come into contact with LEP persons?

Overview

LEP persons are persons identified as speaking English less than very well, not well or not at all. Just because a person speaks a language other than English doesn’t mean they don’t speak English or are identified as LEP. The summary below discusses the frequency with which WCCOA staff comes into contact with LEP

² The ACS publishes data in many forms on the Census Bureau American Fact Finder website
<http://factfinder2.census.gov/faces/nav/jsf/pages/searchresults.xhtml>

persons. It also provides information on the how staff is instructed to meet the needs of LEP persons.

Factor 3: Importance: How does the program, service or activity affect people's lives?

Overview

The summary below discusses how the WCCOA program and services impact the lives of person's within the community. The Section 5310 grantee will specify the community organizations that serve LEP persons, if available.

- ✓ **Factor 4: Resources and Costs:** What funding and other resources are available for LEP outreach?

Overview

The summary below discusses the low cost methods used by WCCOA to provide outreach to LEP persons as well as train staff on Title VI and LEP principles.

Additional Required Elements

In addition to the *Four Factor Analysis (listed below as item #1)*, WCCOA will address the following elements:

Item #2: A description of how language assistance services are provided by language

Item #3: A description of how LEP persons are informed of the availability of language assistance service

Item #4: A description of how the language assistance plan is monitored and updated

Item #5: A description of how employees are trained to provide language assistance to LEP persons

And, any additional information deemed necessary.

Whitley County Council on Aging and Aged, Inc. / Whitley County Transit Summary of the Language Assistance Plan Components

Item #1 – Results of the Four Factor Analysis *(including a description of the LEP population(s) served)*

Factor 1 – Demography

WCCOA provides transportation services in Whitley County, IN.

The US Census Bureau – American Fact Finder (2010-2014) data was used to evaluate whether certain language groups met the Safe Harbor clause of the LEP guidance, whether a language LEP group exceeds 5% of the county's population, or have a minimum threshold of 1000 LEP persons in a certain language.

Using the Demographic Profile Date of Census 2014, the LEP population was ascertained. Based on the population, 1.3% or 284 of the Whitley County population is deemed an LEP person of Hispanic descent. The remaining LEP population that did not speak English well or Spanish were within general language categories such as Indo-European (.6%) or Asian & Pacific Islander languages (.1%). This categorization does not prove helpful in targeting specific language assistance to our LEP populations.

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “speaks English less than very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), WCCOA must provide translation of vital documents in written format for non-English speaking persons.

In Whitley County the population (over 5 years old) estimate is 21,834. With only 284 of those persons having identified themselves as Spanish speaking or “speaks English less than well”; this language group at approximately 1.3% is well below the 5% for 1,000 person threshold. This means WCCOA is not required to provide written translation of vital documents. All of the other language groups listed above are also below the safe harbor threshold. This means, at this time, WCCOA is also not required to provide written translation of vital documents in these languages.

In the future, if WCCOA meets the Safe Harbor Threshold for any language group, it will provide written translation of vital documents in such languages and also consider measures needed for oral interpretation.

Factor 2 – Frequency

Whitley County Council on Aging / Whitley County Transit will be trained on what to do when they encounter a person that speaks English less than well. WCCOA will track the number of encounters and consider making adjustments as needed to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of WCCOA programs and services.

WCCOA provides rides to approximately 750 unduplicated persons per year. While formal data has not been collected, Whitley County Transit has indicated it has not encountered any LEP persons using the service within the last year.

Factor 3 – Importance

Whitley County Council on Aging and Aged, Inc. / Whitley County Transit understands an LEP person with language barrier challenges also faces difficulties obtaining health care, education or access to employment. A transportation system is a key link to connecting LEP persons to these essential services.

WCCOA has identified activities and services which would have serious consequences to individuals if language barriers prevented access to information or the benefits of those programs. The activities and services include providing emergency evacuation instructions in our facilities, stations and vehicles and providing information to the public on security awareness or emergency preparedness.

WCCOA's assessment of what programs, activities and services that are most critical included contact with community organization(s) that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations.

Factor 4 – Resources and Costs

Even though Whitley County Council on Aging / Whitley County Transit does not have a separate budget for LEP outreach, WCCOA / WCT has worked to implement low cost methods of reaching LEP persons if necessary. For example, WCCOA has contact with the local high school Spanish teacher and also a Spanish speaking hairdresser, both of whom would provide assistance to LEP Spanish-speaking persons, if called upon. In addition, WCCOA will work with local advocacy groups to reach LEP populations.

Item # 2 – Description of how Language Assistance Services are Provided, by Language

Whitley County Council on Aging / Whitley County Transit works to ensure mechanisms are in place to reach LEP persons in the service area. If necessary, WCCOA could have a special brochure printed and available in each vehicle to assist LEP populations in understanding the transportation service and other program opportunities.

Language barriers or LEP assistance will be identified through our intake process before a client begins services with our agency. At the time of intake, a translator will be made available to communicate our agency policies and procedures, including transportation. Additional tools will be determined at that time to assess the needs for future communication tools.

Item # 3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service
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Whitley County Council on Aging / Whitley County Transit will provide any LEP persons the availability of language assistance services by providing pictograms and other symbols in relevant published materials, striving to employ multilingual staff or make translation volunteers available, and creating and posting multi-language announcements, posters and other information.

WCCOA / WCT will continue to reach out to LEP populations by visiting ethnic community events and working with other agencies serving LEP, immigrants or non-English speaking populations.

Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated

Whitley County Council on Aging and Aged, Inc. reviews its plan on an annual basis or more frequently as needed. In particular, WCCOA will evaluate the information collected on encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivering of programs and services to ensure meaningful access to minority and LEP persons.

Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons

Whitley County Council on Aging and Aged, Inc. employees are educated on the principles of Title VI and the Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs.

An important discussion point is that of language assistance. If a driver, dispatcher or employee needs further assistance related to LEP program participants, her/she will work with the WCCOA Title VI Coordinator to identify strategies to meet the language needs of the participants of the program or service.