

Title VI Policy and Limited English Proficiency (LEP) Plan

Revised
October 10th, 2019

Title VI Reference Materials

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Title VI Notice to Public

We have posted this in the office, conference room and all vans.

Notifying the Public of Rights under Title VI
Northeast Kansas
Area Agency on Aging, Inc.

- Northeast Kansas Area Agency on Aging, Inc. (NEKAAA) operates its programs and services without regard to race, color, and 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 NEKAAA.
- For more information on NEKAAA's civil rights program, and the procedures to file a complaint, contact 800-883-2549, email nekaaa@nekaaa.org or visit our administrative office at 1803 Oregon Street, Hiawatha KS 66434.
- 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.

NEKAAA & Transit Public Participation Plan Outline

1. The Northeast Kansas Area Agency on Aging (NEKAAA) is a private non-profit social service agency covering the counties of Atchison, Brown, Doniphan, Jackson, Marshall, Nemaha and Washington counties. Our Agency provides information, assistance and assessment services to people in our service area and case management and in-home services to those 60 and over in our service area. We are funded for these services through the Kansas Department on Aging and Disability Services. We contract with service providers to provide in-home services in our seven county areas. We provide general transportation service in Brown, Atchison, Doniphan, Nemaha and Jackson counties.
2. We conducted a survey in Brown County to determine the need for general public transportation services. Our Board of Directors which is comprised of 2 people from each of the seven counties reviews the transportation plan at their meetings which are held at least quarterly. Our Agency holds yearly public hearings on services and any planned changes to those services prior to putting the plan into action.
3. Our Agency has a quarterly newsletter that provides information about our transportation services to the public. We also have Facebook page and a website where we provide information about services. Our Agency has a yearly survey in which we ask for the public's opinion of services provided and things they believe need to be added or changed.
4. Our Agency works with Tribal officials to let them know about transportation services available to their members. We have met with different community groups in Brown County to make them aware of the service. We do not have a large Limited English Proficiency population in our area.
5. Our Agency desires to actively engage transit riders, stakeholder and members of the general public in the decision making process and provide responses to all public input as appropriate.
6. We have had public hearings to hear what the public had to say. We also have placed ads, brochures and have a newsletter that we make public. We post on Facebook.

Limited English Proficiency (LEP) Plan

Introduction

On August 11th, 2000 President Bill Clinton issued Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," (65 FR 50121). The intent of this Executive Order is to improve access to federally conducted and federally assisted programs and activities for persons who are limited in their English proficiency. The purpose of developing an LEP plan, as a recipient of federal funds, is to identify the extent of LEP individuals in the region and identify ways that the transit agency can reduce and/or eliminate the barriers to LEP individuals. The starting point for developing this plan is to perform a four factor analysis to determine the individualized needs of the region. After these needs are identified, the transit agency should develop a language assistance plan addressing the mix of services that will be provided.

Four Factor Analysis

- 1) The data from the American Community Survey shows that our area does not have any language group over the 5% threshold that would require written translation. Our largest group is Native American at 9%, but this group does not require translation of written materials.
- 2) We rarely have contact with non-English speaking individuals.
- 3) Our transportation service has had a large impact on individuals in Brown County who had no other means of transportation to allow them access to medical appointments, shopping, etc.
- 4) There is a toll free number at Ethnic Bridge that can be utilized if necessary. Our Agency would use Google translate for written material.

Limited English Proficiency Plan

Utilizing the information gathered from the Four Factor Analysis, the following plan is developed in order to provide the necessary assistance to LEP persons.

Identified LEP individuals using the information that resulted from the Four Factor Analysis, there are no population groups that require written translation.

Language Assistance Measures

Our Agency would use the following if we encounter an LEP person: Online translation tools, local language services, translated documents, Braille services, sign language interpreter, I Speak Cards (<http://www.lep.gov/ISpeakCards2004.pdf>), etc.

Training Staff

We will have staff training for employees and a written handout for employees to refer to in case of an encounter with an LEP person.

Providing Notice

The LEP plan will be posted on agencies website. LEP plan will be provided to any person or agency requesting a copy. Contact us in regards to the LEP plan phone at 785-742-7153.

If a complaint is to be filed by an LEP individual, the Agency will utilize the Title VI Complaint Procedures.

Monitoring and Updating LEP Plan

At the minimum our agency will update the LEP plan according to the Title VI update schedule which is every three years. The plan will also be updated anytime changes in the demographics of the agencies service area are deemed significant in regards to LEP persons.

Title VI Complaint Procedure

Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the services of Northeast Kansas Area Agency on Aging, Inc., hereafter referred to as NEKAAA.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement 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.

The NEKAAA has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter III of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. If you believe that the NEKAAA's federally funded programs have discriminated your civil rights on the basis of race, color, or national origin you may file a written complaint by following the procedure outlined below:

1. Submission of Complaint.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the NEKAAA, may file a written complaint with the NEKAAA's Executive Director. A hard copy is at the offices of NEKAAA. Upon request, NEKAAA will mail the complaint form. **Such complaints must be filed within 180 calendar days after the date the discrimination occurred.**

Notes: Assistance in the preparation of any complaints will be provided to a person or persons upon request and as appropriate.

Complaints should be mailed to or submitted by hand to:

Northeast Kansas Area Agency on Aging,
1803 Oregon Street
Hiawatha, KS 66434

2. Referral to Review Officer

Upon receipt of the complaint, the Executive Director shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint. If necessary, the Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the agency received the complaint. If more time is required, the Executive Director shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the NEKAAA's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the Executive Director for concurrence. If the Executive Director concurs, he or she shall issue the NEKAAA's written response to the Complainant. This final report should include a summary of the investigation, all findings with recommendations, corrective measures where appropriate.

Note: Upon receipt of a complaint, the NEKAAA shall forward a copy of this complaint and the resulting written response to the appropriate KDOT and FTA-Region 7 contacts.

3. Request for Reconsideration

If the Complainant disagrees with the Executive Director's response, he or she may request reconsideration by submitting the request, in writing, to the Executive Director within 10 calendar days after receipt of the Executive Director response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Executive Director. The Executive Director will notify the Complainant of his or her decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the *agency* Executive Director agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2 above.

4. Appeal

If the request for reconsideration is denied, the Complainant may appeal the Executive Director's response by submitting a written appeal to the Board of Directors no later than 10 calendar days after receipt of the Executive Director's written decision rejecting reconsideration. The Board of Directors *will then make a determination to either request re-evaluation by the staff review officer(s) or forward the complaint to KDOT for further investigation.*

5. Submission of Complaint to the State of Kansas Department of Transportation.

If the Complainant is dissatisfied with the NEKAAA's resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation for further investigation.

KDOT Office of Contract Compliance
Eisenhower State Office Building
700 Southwest Harrison
3rd Floor West
Topeka, KS 66603

NEKAAA Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with NEKAAA. You are not required to use this form; a letter containing the same information will be sufficient.

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): [] Race [] Color [] National Origin				
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 attach additional pages.				

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:

Signature _____ Date _____

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

NEKAAA
 Title VI Coordinator
 1803 Oregon Street
 Hiawatha, Kansas 66434

List of Title VI Investigations, Lawsuits and Complaints

	Date Submitted/Filed (Month, Day Year)	Summary of allegation (include basis of complaint: race, color or national origin)	Status	Resolution/Action Taken
Investigations				
1				
2				
Lawsuits				
1				
2				
Complaints				
1				
2				

Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American	Other
Population within service area	87.4%	3.1%	1.9%	0.3%	3.6%	3.7%
Agency Board of Directors	100%	0%	0%	0%	0%	0%
Citizens Advisory Council	100%	0%	0%	0%	0%	0%

EMPLOYEE'S ACKNOWLEDGEMENT

I have received a copy of, have read and understand the Title VI Policy & Limited English Proficiency Plan (LEP), and affix my signature below.

Signature

Date