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**Title VI Plan and Procedures  
Title VI of the Civil Rights Act of 1964**

**Rappahannock Area Agency on Aging  
d/b/a Healthy Generations Area Agency on Aging**



**Adopted January 19, 2022**

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## I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging incorporates nondiscrimination policies and practices in providing services to the public. Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

## II. OVERVIEW OF SERVICES

Healthy Generations Area Agency on Aging, formerly Rappahannock Area Agency on Aging (Healthy Generations), is one of more than 600 Area Agencies on Aging in the United States. Healthy Generations assists in addressing issues as they pertain to the needs of older persons and their families. Healthy Generations provides both direct and contracted services in the George Washington Planning District (PD16) including the City of Fredericksburg and Counties of Caroline, King George, Spotsylvania, and Stafford, Virginia. The mission of the staff, Board of Directors, and Advisory Council of Healthy Generations is to enhance the quality of life for all older citizens. Healthy Generations provides home and community-based services to support the continued independence, safety, and health and wellness of our senior population.

Services Include: Home Delivered Meals, Homemaker Services, Information and Referral Services, Long-Term Care Ombudsman Program, Options Counseling, Senior Cafes, Senior Community Service Employment Program, Telephone Reassurance, Transportation, and Mobility Options Transportation Information and Resources.

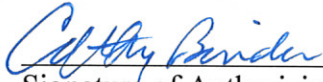
Healthy Generations provides fixed route transportation services to and from each of the five Senior Cafes located in each locality as well as a Mobility Management and Operations Program known as Mobility Options. Mobility Options is a one-stop-shop clearinghouse for all transportation resources found within Virginia Planning District 16 (the Counties of Caroline, King George, Spotsylvania, Stafford, and the City of Fredericksburg). Program resources include a fixed-route Transit Travel Training Program purposed to train older adults and persons with disabilities to travel safely and independently on the local fixed-route transportation resource in the region (Fredericksburg Regional Transit). This program also provides demand-response transportation through the usage of the agency's ADA accessible fleet vehicles, referrals to private-sector providers, and a volunteer driver program.

### III. POLICY STATEMENT AND AUTHORITIES

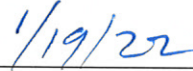
#### Title VI Policy Statement

Healthy Generations is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.25 9), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

Healthy Generations Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



Signature of Authorizing Official



Date

#### Authorities

Title VI of the 1964 Civil Rights Act provides 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 otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964" (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Planning Assistance and Standards," (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations," (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006).

#### **IV. NONDISCRIMINATION ASSURANCE TO DRPT**

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, Healthy Generations submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, Healthy Generations confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

**V. PLAN APPROVAL DOCUMENT**

Healthy Generations Board of Directors approved the agency’s Title VI document during the regular Board meeting held January 19, 2022. Item number IX.2 of the meeting minutes indicates the plan was unanimously approved by the Board.



TO ENHANCE THE QUALITY OF LIFE FOR ALL OLDER CITIZENS.

**We hereby acknowledge the receipt of the Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging Title VI Implementation Plan. We have reviewed and approve the Plan. We are committed to ensuring that no person is excluded from participation in or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.**

*Cathy Binder*

Signature of Authorizing Official

*1/19/22*

Date

**Cathy Binder**

**Chairman of the Board of Directors**

**Rappahannock Area Agency on Aging d/b/a/ Healthy Generations Are Agency on Aging**

460 LENDALL LANE  
FREDERICKSBURG, VA 22405  
PHONE: (540) 371-3375  
FAX: (540) 371-3384  
MOBILITY OPTIONS: (540) 656-2985  
WWW.HEALTHYGENERATIONS.ORG

HGAAA SERVICE AREA: CITY OF FREDERICKSBURG, COUNTIES OF CAROLINE, KING, GEORGE, STAFFORD AND SPOTSYLVANIA

## **VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES**

Healthy Generations Mobility Manager is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated, and responsibilities may overlap. (Note, more than one official may be designated to serve as the Title VI official). The specific areas of responsibility have been delineated below for purposes of clarity.

### **Overall Organization for Title VI**

The Title VI Manager and staff are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

### **Detailed Responsibilities of the Title VI Manager**

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.



## **General Title VI Responsibilities of the agency**

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

### **1. Date Collection**

To ensure that Title VI reporting requirements are met, Healthy Generations will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

### **2. Annual Report and Updates**

As a sub-recipient of FTA funds, Healthy Generations is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. Healthy Generations will also maintain and provide to DRPT on an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- Procedures for Tracking and Investigating Title VI complaints
- A list of Title VI investigations, complaints, or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that complies with Title VI and instructions on how to file a discrimination complaint

### **3. Annual Review of the Title VI Program**

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

#### **4. Dissemination of information related to the Title VI program**

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

#### **5. Resolution of complaints**

Any individual may exercise his, her, or their right to file a complaint if that person believes that he, she, they or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. Healthy Generations will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency’s Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

#### **6. Written policies and procedures**

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

#### **7. Internal education**

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint. **Title VI training is the responsibility of Mobility Manager.**

#### **8. Title VI clauses in contracts**

In all federal procurements requiring a written contract or Purchase Order (PO), Healthy Generations contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Finance Director, Executive Director, and Director of Operations who is/are responsible for procurement contracts and PO’s to ensure appropriate non-discrimination clauses are included.

## **VII. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT**

### **Requirement to Provide a Title VI Public Notice**

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, Healthy Generations shall disseminate this information to the public by posting a Title VI notice (See Appendix A, Title VI Notice to the Public and List of Public Locations) on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally funded vehicles, etc.

Healthy Generations includes the following language on printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

*Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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" (42 U.S.C. Section 2000d).*

*Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging is committed to ensuring that no person is excluded from participation in or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:*

**Name: Jennifer Falknor**

**Title: Mobility Manager**

**Agency Name: Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging**

**Address: 460 Lendall Lane**

**City, State Zip: Fredericksburg, VA 22405**

**Telephone Number: (540) 371-3375**

**Email address: [titlevi@healthygenerations.org](mailto:titlevi@healthygenerations.org)**

## **Title VI Complaint Procedures**

### **Requirement to Develop Title VI Complaint Procedures and Complaint Form.**

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Any individual may exercise his, her, or their right to file a complaint with Healthy Generations if that person believes that he, she, or they have been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

**A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.**

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service. (See Appendix B, Title VI Complaint Form)

### **Procedures for Handling and Reporting Investigations/ Complaints and Lawsuits**

**Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against Healthy Generations will follow these procedures:**

#### **Procedures**

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
  - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
  - b. The complaint shall be in writing and signed by the complainant(s).
  - c. The complaint should include:
    - the complainant's name, address, and contact information (i.e., telephone number, email address, etc.)
    - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
    - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
    - an explanation of why the complainant believes the act to have been discriminatory on the

- basis of race, color, and national origin
  - if known, the names and/or job titles of those individuals perceived as parties in the incident
  - contact information for any witnesses
  - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
- d. The complaint shall be submitted to the Healthy Generations Title VI Manager at 460 Lendall Lane, Fredericksburg, VA 22405 or [titlevi@healthygenerations.org](mailto:titlevi@healthygenerations.org).
  - e. Complaints received by any other employee of Healthy Generations will be immediately forwarded to the Title VI Manager.
  - f. 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 Title VI Manager. Under these circumstances, the complainant will be interviewed, and the Director of Client Services will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
    - a. notify DRPT (no later than 3 business days from receipt)
    - b. notify the Healthy Generations Authorizing Official
    - c. ensure that the complaint is entered in the complaint database
  3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.
  4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
  5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
  6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
  7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
  8. The investigation may also include:
    - a. investigating contractor operating records, policies, or procedures
    - b. reviewing routes, schedules, and fare policies
    - c. reviewing operating policies and procedures
    - d. reviewing scheduling and dispatch records
    - e. observing behavior of the individual whose actions were cited in the complaint
  9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
  10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
  11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, Healthy Generations legal counsel.
  12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of

the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.

13. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. An interview cannot be scheduled with the complainant after reasonable attempts.
  - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by Healthy Generations. DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

## **Transportation-Related Title VI Investigations, Complaints, and Lawsuits**

### **Background**

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually. (See Appendix C, Investigations, Lawsuits, and Complaints)

### **Public Outreach and Involvement**

#### **Introduction**

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that Healthy Generations utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority, and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public

participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

Healthy Generations established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

Healthy Generations will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process. (See Appendix D, Summary of Outreach Efforts)

## **VIII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)**

### **Introduction and Legal Basis**

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by Healthy Generations is based on FTA guidelines.

As required, Healthy Generations developed a written LEP Plan (below). Using American Community Survey (ACS) data, Health Generations has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

### **Assessment of Needs and Resources**

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

#### **Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population**

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

##### **U.S. Census Data – American Community Survey (2011-2015)**

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through [www.census.gov](http://www.census.gov) by Healthy Generations service area. The agency's service area includes a total of 11,487 (3.55%) persons with Limited English Proficiency (those persons who indicated that they spoke English "less than very well," in the 2011-2015 ACS Census). The 2011-2015 ACS data was used due to the lack of LEP by language group data for the 2012-2016 ACS estimates.

Information from the 2011-2015 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which



translations into other language are needed to meet the needs of LEP persons.

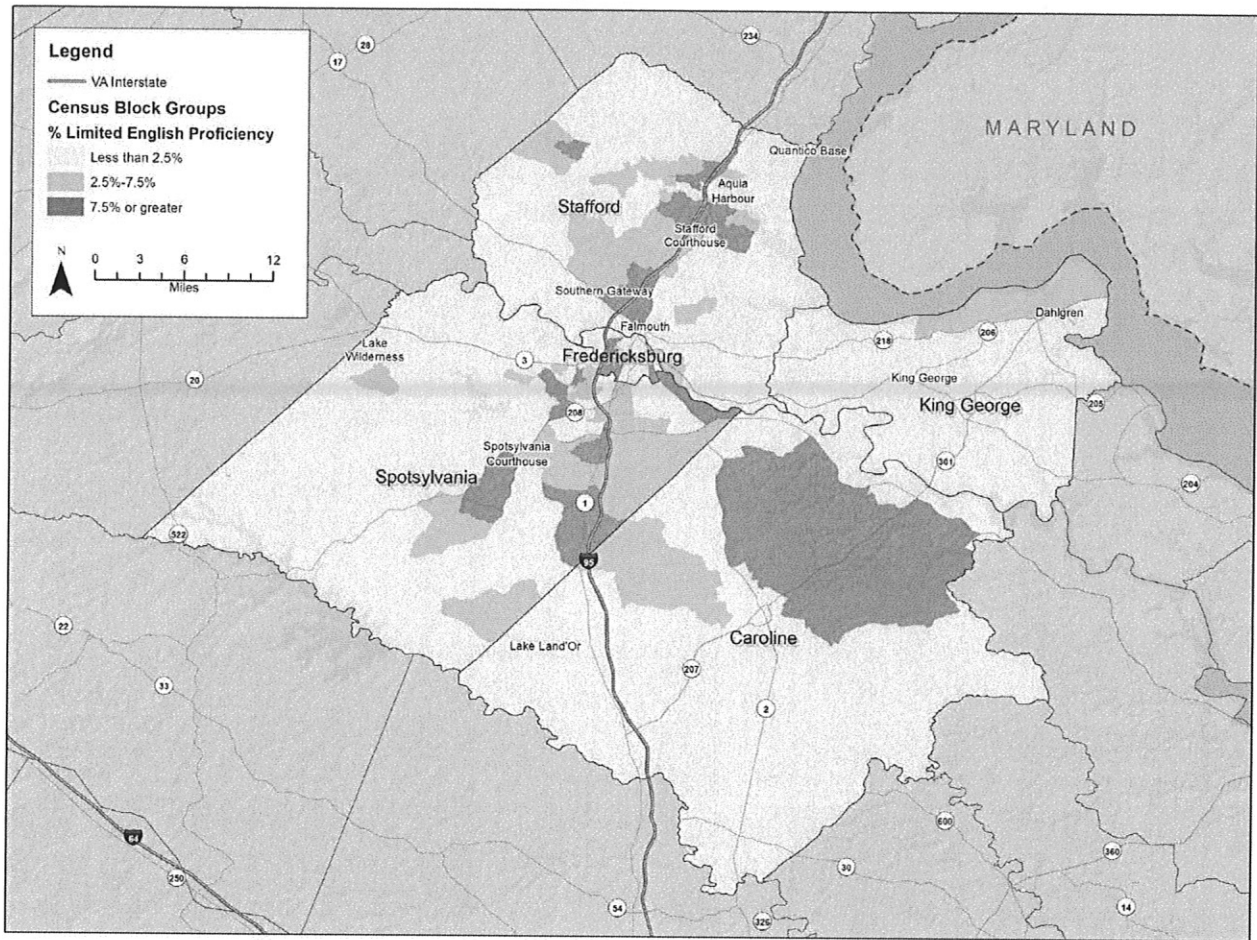
HGAAA Service Area			
Language	Number of LEP Population	Percent of Service Area Population Speaking Language	Percent of LEP Population Speaking Language
Spanish or Spanish Creole	7,104	2.19%	61.84%
Korean	568	0.18%	4.94%
Chinese	466	0.14%	4.06%
Vietnamese	455	0.14%	3.96%
Urdu	325	0.10%	2.83%
African languages	322	0.10%	2.80%
French	268	0.08%	2.33%
Arabic	244	0.08%	2.12%
Tagalog	212	0.07%	1.85%
German	172	0.05%	1.50%
Japanese	168	0.05%	1.46%
Other Indo-European languages	160	0.05%	1.39%
Gujarati	138	0.04%	1.20%
Other Asian languages	122	0.04%	1.06%
Persian	119	0.04%	1.04%
Polish	84	0.03%	0.73%
Russian	64	0.02%	0.56%
Other Indic languages	57	0.02%	0.50%
Portuguese or Portuguese Creole	55	0.02%	0.48%
Italian	53	0.02%	0.46%
French Creole	49	0.02%	0.43%
Hungarian	46	0.01%	0.40%
Other Pacific Island languages	45	0.01%	0.39%
Hindi	36	0.01%	0.31%
Other Slavic languages	33	0.01%	0.29%
Thai	32	0.01%	0.28%
Laotian	27	0.01%	0.24%
Greek	19	0.01%	0.17%
Other West Germanic languages	18	0.01%	0.16%
Hebrew	13	0.00%	0.11%
Serbo-Croatian	7	0.00%	0.06%
Other Native North American languages	6	0.00%	0.05%
<b>Total LEP Population</b>	<b>11,487</b>	<b>3.55%</b>	

Total Service Area Population

324,003

The most spoken language among LEP individuals is Spanish or Spanish Creole (7,104). No other language group surpasses the Safe Harbor Provision. Figure 1 maps the percentage of LEP individuals by Census Block Group. There are significant percentages of LEP persons in the Fredericksburg, northern Caroline, Spotsylvania County, and Stafford County.

**Figure 1 – % LEP by Census Block Group**



**Factor 2: Assessment of Frequency with Which LEP Individuals Come into Contact with the Transit Services or System**

**Healthy Generations** reviewed the relevant benefits, services, and information provided by the agency and determined the extent to which LEP persons have come into contact with these functions through one or more of the following channels:

- Contact with transit vehicle operators;
- Contact with transit station managers;
- Calls to Healthy Generations customer service telephone line;

- Visits to the agency's headquarters;
- Access to the agency's website;
- Attendance at community meetings or public hearings hosted by Healthy Generations;

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact. To assist in language identification, we use a language identification flashcard based on that which was developed by the U.S. Census. (<http://www.lep.gov/ISpeakCards2004.pdf>).

**Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population**

Healthy Generations provides the following transportation programs, activities, and services:

Fixed-Route door-to-door service for participants enrolled in Healthy Generations Senior Cafés throughout the Planning District service area.

Specialized transportation, transportation information and referral services, and transportation training for older adults and persons with disabilities through the Mobility Options program.

Based on experiences serving and communicating with LEP persons and interviews with community agencies, we learned that the services provided through the Mobility Options program are of particular importance LEP persons in the community:

The following are the most critical services provided by Healthy Generations for all customers, including LEP persons.

- Safety and security awareness instructions
- Emergency evacuation procedures
- Publicly available specialized transportation services
- Services targeted to older adults and persons with disabilities

**Factor 4: Assessment of the Resources Available to the Agency and Costs**

*Costs*

The following language assistance measures currently being provided by Healthy Generations

- Language Line- Pay per minute- currently costs are negligible
- Google Translate- Drivers have used Google Translate to communicate with program users- no cost
- We are not currently providing translation of documents

We anticipate that these activities and costs will remain the same based on the fact that we do not currently provide translation of documents due to the low number of LEP individuals in PD16. As stated previously interpretive services are always available using Language Line Services.

Based on the analysis of demographic data and contact with community organizations and LEP persons, Healthy Generations has determined that the following additional services are ideally needed to provide meaningful access:

- Our existing language assistance is sufficient to meet and even exceed demand.

### ***Resources***

The available budget that could currently be devoted to additional language assistance expenses is \$0.00. This amount is likely to be stable over time.

In addition, in-kind assistance may be available through volunteers which our agency actively recruits.

### ***Feasible and Appropriate Language Assistance Measures***

Based on the available resources, the following language assistance measures are feasible and appropriate for our agency at this time:

- Language Line- Pay per minute- currently costs are negligible
- Google Translate- Drivers have used Google Translate to communicate with program users- no cost

### **LEP Implementation Plan**

Through the four-factor analysis, Healthy Generations determined that the following types of language assistance are most needed and feasible:

- Language Line Translation Services
- Google Translate

### ***Staff Access to Language Assistance Services***

Agency staff who come into contact with LEP persons can access language services by calling Language Line Services for assistance. All staff will be provided with a list of available language assistance services and additional information and referral resources (such as community organizations which can assist LEP persons). This list will be updated at least annually.

### ***Responding to LEP Callers***

Staff who answer calls from the public respond to LEP customers as follows: by interacting with them utilizing the assistance of Language Line Services.

### ***Responding to Written Communications from LEP Persons***

The following procedures are followed when responding to written communications from LEP persons: The recipient will utilize available resources to interpret the communication or will utilize Language Line Services to interact with the person inquiring.

### ***Responding to LEP Individuals in Person***

The following procedures are followed when an LEP person visits our customer service and administrative office: Language Line Services is contacted immediately to provide interpretation.

The following procedures are followed by operators when an LEP person has a question on board a Healthy Generations vehicle: Referred to telephone assistance with Language Line Services or operators use Google Translate.

### ***Staff Training***

As noted previously, all Healthy Generations staff are provided with a list of available language assistance services and additional information and referral resources, updated annually.

All new hires receive training on assisting LEP persons as part of their sensitivity and customer service training. This includes:

- A summary of the transit agency's responsibilities under the DOT LEP Guidance;
- A summary of the agency's language assistance plan;
- A summary of the number and proportion of LEP persons in the agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population;
- A description of the type of language assistance that the agency is currently providing and instructions on how agency staff can access these products and services; and
- A description of the agency's cultural sensitivity policies and practices.

Also, all staff who routinely come into contact with customers, as well as their supervisors and all management staff, receive annual refresher training on policies and procedures related to assisting LEP persons.

### ***Providing Notice to LEP Persons***

LEP persons are notified of the availability of language assistance through the following approaches:

- Upon request when interacting with a staff member.

LEP persons will also be included in all community outreach efforts related to service and fare changes.

### ***Monitoring/Updating the plan***

This plan will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, Healthy Generations will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic reviews of Census data and internal meeting will be used to determine the adequacy and quality of the language assistance provided and determine changes to LEP needs.

In preparing the triennial update of this plan, Healthy Generations will conduct an internal assessment using the Language Assistance Monitoring Checklist provided in the FTA's "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers."

Based on the feedback received from community members and agency employees, Healthy Generations will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the enhancements that can be made, and therefore Healthy Generations will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, Healthy Generations will strive to address the needs for additional language assistance.

## **IX. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES**

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

Healthy Generations currently has an Advisory Council, a Board of Directors, and HGAAA staff serve on the Public Transit Advisory Board, and the Citizens Transportation Advisory Committee.

Advisory Council members are solicited throughout Healthy Generations service area. Specific areas that are targeted, for recruitment of advisory council members, include representatives of organizations that come in contact with older persons or individuals with disabilities, representatives of health care providers, and citizen representatives (especially individuals who receive services provided or funded by Healthy Generations).

Members of the Agency’s Board of Directors are appointed by the local jurisdictions served by Healthy Generations.

Participation in the Public Transit Advisory Board and Citizens Transportation Advisory Committee includes efforts to engage members public and private transportation providers, community groups, citizen representatives, and other parties interested in transportation issues. (See Appendix E, Table- Monitoring Representation on Planning and Advisory Bodies)

## **X. MONITORING TITLE VI COMPLAINTS**

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

## APPENDIX A - TITLE VI NOTICE TO THE PUBLIC AND LIST OF PUBLIC LOCATIONS



Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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" (42 U.S.C. Section 2000d).

**Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging** is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by **Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging**, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

**Name: Jennifer**

**Falknor Title:**

**Mobility**

**Manager**

**Agency Name: Rappahannock Area Agency on Aging d/b/a Healthy Generations Area Agency on Aging**

**Address: 460 Lendall Lane**

**City, State Zip code: Fredericksburg,**

**VA 22405 Telephone Number: (540) 371-3375**

**Email address: [titleVI@healthygenerations.org](mailto:titleVI@healthygenerations.org)**

### TITLE VI NOTICE TO THE PUBLIC LIST OF LOCATIONS

- All Agency vehicles providing transportation to the Public
- Agency offices
- Agency website: [www.healthygenerations.org](http://www.healthygenerations.org)
- Agency Cafes
- Agency program specific information guide and transportation resource guide



## APPENDIX B - TITLE VI COMPLAINT FORM

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on you 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
<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				
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 additional paper.				

<b>Section IV:</b>		
Have you previously filed a Title VI complaint with this agency?	Yes	No
<b>Section V:</b>		
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"/> State Agency: _____	
<input type="checkbox"/> Federal Court: _____	<input type="checkbox"/> Local Agency: _____	
<input type="checkbox"/> State Court: _____		
Please provide information about a contact person at the agency / court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
<b>Section VI:</b>		
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

## APPENDIX C- INVESTIGATIONS, LAWSUITS, AND COMPLAINTS

### List of Investigations, Lawsuits, and Complaints

	<b>Date (Month, Day, Year)</b>	<b>Summary (include basis of complaint: race, color, national origin)</b>	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
<b>1. None</b>				
<b>Lawsuits</b>				
<b>1. None</b>				
<b>Complaints</b>				
<b>1. None</b>				

## **APPENDIX D - SUMMARY OF OUTREACH EFFORTS**

- Providing opportunities for public participation through means other than written communication, such as tabling events at the public transit facility, farmers markets, community resource fairs, and employing social media platforms allowing for personal interviews, or use of audio and video recording devices to capture comments.
- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.

**APPENDIX E- MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES**

<b>Committee</b>	<b>Black or African American</b>	<b>White/ Caucasian</b>	<b>Latino/ Hispanic</b>	<b>American Indian or Alaska Native</b>	<b>Asian</b>	<b>Native Hawaiian or other Pacific Islander</b>	<b>Other <i>*Note</i></b>	<b>Total</b>
<b>Healthy Generations Advisory Board</b>	7	8						<b>15</b>
<b>% of Advisory Board Members</b>	47%	53%						
<b>Healthy Generations Board of Directors</b>	1	10						<b>11</b>
<b>% of Board Members</b>	9%	91%						