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

**Lake Country Area Agency on Aging**  
**Lake Area Bus/ Halifax Area Rural Transportation**

**(Throughout this document the above entities will be referred to as LCAAA)**



**Adopted date**

**January 8, 2019**

**October 12, 2021**

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# **Public Outreach and Involvement**

## **PUBLIC PARTICIPATION PLAN**

### **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 LCAAA incorporates nondiscrimination policies and practices in providing services to the public. LCAAA'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**

LCAAA's transportation program is operated by Lake Country Area Agency on Aging, which is a private non-profit agency. It provides human service agency transportation, primarily to seniors (its own clients) accessing agency programs (including nutrition sites and adult day programs), and to Medicaid clients for medically-necessary trips (as a contract provider to Logisticare, Southeastrans, National Med Trans, Veyo and VA Premier, Medicaid transportation brokerage's), in Mecklenburg, Brunswick, and Halifax Counties

It also provides demand-responsive public transportation within the town limits of South Hill, La Crosse, and Brodnax, using the name Lake Area Bus (LAB); and in the towns of South Boston and Halifax under the name Halifax Area Rural Transit (HART).



## POLICY STATEMENT AND AUTHORITIES

### Title VI Policy Statement

LCAAA 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 100.259), 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.

The LCAAA 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).

## **POLICY STATEMENT AND AUTHORITIES**

### **II. NONDISCRIMINATION ASSURANCES TO DRPT**

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. LCAAA 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, LCAAA confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

### III. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the LCAAA Title VI Implementation Plan. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of LCAAA transportation 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.

Holly Sluder

10/19/21

Signature of Authorizing Official

DATE

Holly Sluder Executive President/CEO

Lake Country Area Agency on Aging

## LAKE COUNTRY AREA AGENCY ON AGING – BOARD OF DIRECTORS MEETING

**October 12, 2021**

Lake Country Area Agency on Aging Board of Directors meeting was held October 12, 2021 at the Hazelwood House Adult Day Care Center in South Hill, Virginia.

**Present**

Ronnie Wells

Jennifer Bowen

Helen Chessman

Alice Banks

LaTrisha McCargo

Angela Caison

Hercule Clark

**Representing**

Mecklenburg County

Mecklenburg County

Town of South Hill

Halifax County

Mecklenburg County

Halifax County

Brunswick County

**Absent**

Martha Myers

Brunswick County

Todd Moser

Halifax County

**Staff**

Holly Sluder, President/CEO

Jo Ann Powell, Administrative Assistant

Andy Piercy, Finance Manager

**Program Managers:**

Virginia Morgan RN, MAPC

Serena Roberts, Case Management

Mark Stewart, IHC

Frances Beattie, Information Technology

Joel Fescharek, Transportation

Marvalene Johnson, A

In Chairperson Martha Myers' absence Vice Chairperson Jennifer Bowen called the meeting to order at 11:00 a.m.

Vice Chairperson Jennifer Bower gave thanks for the meal. She introduced Hercule Clark as a new board member and asked her to give us her background. Everyone welcomed Ms. Clark to the Board.

Secretary Alice Banks called the **roll** and reported **a quorum was present**. Those attending were, Jennifer Bowen, Ronnie Wells, Helen Chessman, Alice Banks, LaTrisha McCargo, and Angela Caison. Absent were Martha Myers and Todd Moser.

**The Agenda was presented for approval.** Vice Chairperson Bowen asked for a motion to approve the agenda as written. Alice Banks motioned to approve. Helen Chessman seconded. Motion passed.

**Minutes of Previous Meeting** – Secretary Alice Bank opened the floor for comments on the minutes, from April 13, 2021, that were received in advance. With no comments received Helen Chessman motioned to dispense with the reading of the minutes and to approve them as written. Ronnie Wells seconded. Motion carried.

**Treasurer's Report** – Treasurer Ronnie Wells reported announced there were no quarterly reports. We are currently waiting for all payables and receivables to come in, so we can close out the fiscal year that ended September 30, 2021. He stated all programs are currently in good standing.

**ADHC Advisory Council Report** – Council Chairman Jimmy Martin reported the Advisory Council met September 15, 2021. He requested the board to approve Mrs. Patsy Watkins as a new member to the council. Alice Banks motioned to approve. Ronnie Wells seconded the motion. Motion carried.

**LCAAA Advisory Council Report** – In Council Chairperson Catherine Talley's absence President/CEO Holly Sluder reported the Advisory Council reports to the board of directors with updates from the Nutrition and Transportation programs. However, **the Annual** Board of Directors meeting is the exception; due to the very informative reports that will be given here tonight by the program coordinators.

On behalf of the advisory council, Ms. Sluder requested the board to entertain a motion for approval of Paul Mandel to serve as a new council member. Ronnie Wells motioned to approve. Helen Chessman seconded. Motion passed.

**Expression of Appreciation** - President/CEO Holly Sluder gave each Board member a Certificate of Appreciation. She thanked all the Board members for volunteering their time and for their support given to the agency. Holly noted this was Ms. Alice Banks last meeting and thanked her for serving the agency.

**Program Manager's Presentations** - The program managers gave presentations about their program's services. Displays for the programs were available for the Board members to view. The board applauded their efforts. Vice Chairperson Bowen said they have a hard job in a normal year and this pass year was not normal, due to COVID.

**President/CEO Report** – President Holly Sluder commended all the program for their presentations that allowed the board members to learn firsthand about our services. She had no updates to report.

**Old Business** – There was no old business to discuss.

**New Business** – President Sluder presented to the board the **Title VI of the Civil Rights act of 1964 Plan & Procedure**. She noted the requirement to have the Title VI approved by the board every three years, and we only had population and language changes for updates. Helen Chessman motioned to approve the Title VI as presented. Alice Banks seconded. Motion carried.

**Installation of Officers was performed by President Holly Sluder.** She asked Jennifer Bowen if she accepted the responsibilities of Chairperson as presented to her. Mrs. Bowen accepted. The new Vice Chairperson was absent. The officers serving as Treasurer and Secretary remained the same for the new fiscal year.

Administrative Assistant Jo Ann Powell acquired **signatures on the 2022 fiscal year Bank Resolution** from Holly Sluder President/CEO, Chairperson Jennifer Bowen and Treasurer Ronnie Wells. The resolution was delivered to the Touchstone bank September 30, 2021.

**ADJOURNMENT** – WITH NO FURTHER BUSINESS TO BE DISCUSSED CHAIRPERSON JENNIFER BOWEN ASKED FOR A MOTION TO ADJOURN THE MEETING. HELEN CHESSMAN MOTIONED TO ADJOURN. RONNIE WELLS SECONDED. THE MOTION PASSED. THE NEXT MEETING IS TO BE HELD TUESDAY, JANUARY 11, 2022.

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

The LCAAA's Transportation Coordinator is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. 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. Data collection**

To ensure that Title VI reporting requirements are met, LCAAA 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, LCAAA 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. LCAAA 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 notices to the public that it complies with Title VI and instructions on how to file a discrimination complaint

## **3. Annual review of 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 or her right to file a complaint if that person believes that he, she 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. LCAAA 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 the President/CEO and Transportation Coordinator

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

In all federal procurements requiring a written contract or Purchase Order (PO), LCAAA's contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the President/CEO who is/are responsible for procurement contracts and PO's to ensure appropriate non-discrimination clauses are included.

## **V. 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, LCAAA shall disseminate this information to the public by posting a Title VI notice 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.

### **Notifying the Public of Rights under Title VI**

#### **LAKE AREA BUS/HALIFAX AREA RURAL TRANSPORTATION**

- LAB/HART 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 the Title VI may file a complaint with LAB/HART.
- For more information on LAB/HART's civil rights program, and the procedures to file a complaint, contact 800-252-4464; email [transportation@lcaa.org](mailto:transportation@lcaa.org); or visit our administrative office at 1105 West Danville, Street, South Hill, VA. For more information, visit [www.lcaa.org](http://www.lcaa.org).

Joel Fescharek  
Transportation Coordinator  
Lake Country Area Agency on Aging  
1105 W. Danville St.  
South Hill VA. 23970  
(434) 447-7661  
[transportation@lcaa.org](mailto:transportation@lcaa.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 or her right to file a complaint with LCAAA if that person believes that he or she has 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, 5<sup>th</sup> floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590. :**

LCAAA 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 the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on LCAAA's nondiscrimination policies and procedures, or to file a complaint, please visit the website at LCAAA.org or contact the Transportation Coordinator 1105 W Danville St. South Hill Va. 23970 (434) 447-7661

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 and agency's facilities, and are also included within LCAAA's 'brochure.

**A copy of LCAAA's Title VI Complaint Form is attached as APPENDIX B.**

## **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 LCAAA the agency 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).
    - a description of the alleged act of discrimination
    - 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 LCAAA Title VI Manager at 1105 W Danville St. South Hill VA. 23970 or [transportation@lcaaa.org](mailto:transportation@lcaaa.org)
  - e. Complaints received by any other employee of LCAAA 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 a Transportation Assistance 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 LCAAA President/CEO
  - 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 President/CEO, DRPT, and, if appropriate, LCAAA's 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 LCAAA. 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.

### **List of Investigations, Lawsuits and Complaints**

**SEE APPENDIX C- Investigations, Lawsuits and Complaints Document**

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

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

#### **Introduction and Legal Basis**

The Public Participation Plan (PPP)

LEP is a term that LCAAA utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English 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 13116, 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 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.

LCAAA will establish 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.

LCAAA 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.

## **PUBLIC OUTREACH PRACTICES**

### **To be implemented when deemed necessary**

- a. Determining and identifying what meetings and program activities lend themselves to client public participation.**
  - b. Scheduling meetings at times and locations that is convenient and accessible for minority and LEP communities.**
  - c. Employing different meeting sizes and formats.**
  - d. Considering radio, or newspaper ads on stations and in publications that serve LEP populations.**
- .

## **VII. Percentage of Population 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 Lake Country Area Agency on Aging is based on FTA guidelines.

As required, Lake Country Area Agency on Aging developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, Lake Country Area Agency on Aging 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 – 2020**

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through [www.census.gov](http://www.census.gov) by Lake Country Area Agency on Aging's service area of the counties of Mecklenburg, Halifax, and Brunswick. The agency's service area includes a total of 986 (1.23%) persons with Limited English Proficiency (those persons who indicated that they spoke English "less than very well" in the 2011-2015 ACS Census).

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. Table 1-1 includes data from the total service area of Brunswick, Mecklenburg, and Halifax County.

**Table 1-1: LEP by Language Spoken at Home in Entire Service Area**

	Brunswick County		%	Virginia	U.S.
English	6,064	96.84%	<a href="#">see rank</a>	87.25%	81.14%
Spanish	128	2.04%	<a href="#">see rank</a>	5.24%	10.21%
Other Indo-European Languages	50	0.80%	<a href="#">see rank</a>	4.03%	5.22%
Asian and Pacific Islander Languages	14	0.22%	<a href="#">see rank</a>	2.64%	2.61%
Other	6	0.10%	<a href="#">see rank</a>	0.85%	0.82%
	Mecklenburg County		%	Virginia	U.S.
English	12,352	96.07%	<a href="#">see rank</a>	84.46%	79.39%
Spanish	265	2.06%	<a href="#">see rank</a>	6.31%	11.75%
Other Indo-European Languages	125	0.97%	<a href="#">see rank</a>	4.18%	4.52%
Asian and Pacific Islander Languages	90	0.70%	<a href="#">see rank</a>	3.67%	3.36%
Other	25	0.19%	<a href="#">see rank</a>	1.38%	0.99%
	Halifax County		%	Virginia	U.S.
English	14,010	96.81%	<a href="#">see rank</a>	84.46%	79.39%
Spanish	255	1.76%	<a href="#">see rank</a>	6.31%	11.75%
Other Indo-European Languages	131	0.91%	<a href="#">see rank</a>	4.18%	4.52%
Asian and Pacific Islander Languages	76	0.53%	<a href="#">see rank</a>	3.67%	3.36%
Other	0	0.00%	<a href="#">see rank</a>	1.38%	0.99%

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

LCAAA 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 LCAAA’s customer service telephone line;
- Visits to the agency’s headquarters;
- Access to the agency’s website;
  
- Contact with the agency’s ADA Paratransit, including brochure, eligibility application package, and passenger policies and American Community Survey data become available for our service area).

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

LCAAA provides the following programs, activities and services:

At the current time there are no programs in place, they will be implemented when it is deemed necessary.

The following: This includes providing meaningful access to individuals who are the most critical services provided by LCAAA for all customers, including LEP persons. Limited in their use of English. The following LEP language implementation plan, developed by LCAAA is based on FTA guidelines.

As required, LCAAA developed a written LEP Plan (below). Using American Community Survey (ACS) Census data, LCAAA 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.

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

*Costs*

Currently the agency does not incur any costs.

**LEP Implementation Plan**

Through the four-factor analysis, Lake Country Area Agency on Aging has determined at this time that no language assistance is needed.

**Staff Access to Language Assistance Services**

Agency staff can currently access language translation on-line programs if the demand arises.

**Responding to LEP Callers**

Staff who answer calls from the public respond to LEP customers as follows:

Attempt to have a person fluent in the language assist the client.

**Responding to Written Communications from LEP Persons**

The following procedures are followed when LEP persons:

Have a staff member or a representative of a local organization assist with the translation.

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

The following procedures are followed when an LEP person visits our customer service and administrative office:

Due to the limited population of LEP in our area, clients are most likely to bring a person proficient in their language with them.

### **Staff Training**

LCAAA staff are not currently trained to deal with LEP clients, due to the low number of clients requiring assistance.

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

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

- On our webpage,
- Through signs posted on our vehicles and in our administrative offices.

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, LCAAA will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic reviews of updated Census data of the adequacy and quality of the language assistance provided, and determines changes to LEP needs.

In preparing the triennial update of this plan LCAAA 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, LCAAA 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 LCAAA will attempt to identify the most cost-effective approaches.

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

LCAAA has a transit-related Board of Directors, one appointed by the Town of South Hill. The remainder appointed by the county Board of Supervisors in their respective counties. See appendix D

POSTED ON ALL VEHICLES, WEB PAGE, PRINTED MATERIALS

## Notifying the Public of Rights under Title VI

### **LAKE AREA BUS/HALIFAX AREA RURAL TRANSPORTATION**

- LAB/HART 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 the Title VI may file a complaint with LAB/HART.
- For more information on LAB/HART's civil rights program, and the procedures to file a complaint, contact 800-252-4464; email [transportation@lcaaa.org](mailto:transportation@lcaaa.org); or visit our administrative office at 1105 West Danville, Street, South Hill, VA. For more information, visit [www.lcaaa.org](http://www.lcaaa.org).

Joel Fescharek  
Transportation Coordinator  
Lake Country Area Agency on Aging  
1105 W. Danville St.  
South Hill VA. 23970  
(434) 447-7661  
[transportation@lcaaa.org](mailto:transportation@lcaaa.org)

# APPENDIX B

## TITLE VI COMPLAINT FORM

### Lake Country Area Agency on Aging

<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 your own behalf?		Yes*      N o
*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      N o
<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 <i>Alleged</i> 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.		
_____		
<b>Section IV</b>		
Have you previously filed a Title VI complaint with this Agency?		Yes      N o

<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"/> 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:	
<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

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

Lake Country  
Area Agency on  
Aging 1105  
West Danville  
Street  
South Hill, VA  
23970

