

JRDS Title VI Plan
Section 5310 Grantee

Adopted on: August 19, 2014

Adopted by: Jay-Randolph Developmental Services, Inc. Board of Directors

Revised on: October 2, 2017
September 15, 2020

Section 5310 Grantee

Board President: Cheryl Zell

Board President Signature:

A handwritten signature in cursive script that reads "Cheryl Zell". The signature is written over a horizontal line.

Policy Statement

Jay-Randolph Developmental Services as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Indiana Department of Transportation (INDOT) will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

Title VI Plan Elements

Jay-Randolph Developmental Services Inc.'s Title VI Plan includes the following elements:

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

TITLE VI Notice to the Public

Jay-Randolph Developmental Services, Inc.
Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

THE SECTION 5310 GRANTEE

√ **Jay-Randolph Developmental Services, Inc.** operates its programs and services without regard to race, color, religion, sex, sexual orientation, gender identity and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Jay-Randolph Developmental Services.

√ For more information on Jay-Randolph Developmental Services' civil rights program, and the procedures to file a complaint, contact 260-726-7931, e-mail jrds@jrds.org; or visit our administrative office at 901 E. Water St., Portland, IN 47371. For more information, visit www.jrds.org

√ A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.

√ If information is needed in another language, contact 800-726-7931.

Si se necesita informacion en otro idioma de contacto, 800-726-7931

Jay-Randolph's Notice to the Public is posted in the following locations:

- ✓ Agency website (www.jrds.org)
- ✓ Public areas of the agency office (common area, public meeting rooms, etc.)
- ✓ In JRDS Transportation policy
- ✓ Inside vehicles

JRDS Title VI/ADA Complaint Procedure

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

- ✓ Agency website (www.jrds.org)
 - ✓ Hard copy at the Jay County Center
 - ✓ Made available in appropriate languages for LEP populations, meeting the Safe Harbor threshold
-

Any person who believes she or he has been discriminated against on the basis of race, color, disability or national origin by Jay-Randolph Developmental Services may file a Title VI/ADA complaint by completing and submitting the agency's Title VI Complaint Form. Jay-Randolph investigates complaints received no more than 180 days after the alleged incident. Jay-Randolph will process complaints that are complete.

Once the complaint is received, Jay-Randolph will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Jay-Randolph has 10 days to investigate the complaint. If more information is needed to resolve the case, JRDS may contact the complainant.

The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, JRDS can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has 10 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact **800-726-7931**. *This statement should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold*

Jay-Randolph Developmental Services Public Participation Plan

This is a participation plan that includes an outreach plan to engage minority and limited English proficient populations. Jay-Randolph's targeted public participation plan for minority populations is a part of efforts that extends more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income, elderly and others.

PROMOTING INCLUSIVE PUBLIC PARTICIPATION. The content and considerations of Title VI, the Executive Order on LEP and the DOT LEP Guidance is integrated into Jay-Randolph's established public participation. JRDS makes determinations in this plan based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, the resources available, and how the greater set of JRDS service lines can assist transit with this plan.

Strategies and Desired Outcomes

To promote inclusive public participation, Jay-Randolph Developmental Services will use its resources available to employ the following strategies, as appropriate:

- Provide for early, frequent and continuous engagement by the public
- Expand traditional outreach methods coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Select accessible and varied meeting locations and times
- Employ different meeting sizes and formats
- Use social media in addition to other resources as a way to gain public involvement
- Use radio, television or newspaper ads on stations and in publications that serve minority and/or LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.

Language Assistance Plan

Plan Components

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

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

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

Jay-Randolph Developmental Services Language Assistance Plan includes the following elements:

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

Methodology

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

LEP *Four Factor Analysis*

√ **Factor 1: Demography:** What is the number or proportion of LEP persons served and the languages spoken in the service area?

Jay-Randolph Developmental Services did the following:

1. Inserted a copy of the **Jay and Randolph** county LEP data in the Title VI plan. This data was found at:

<http://www.migrationpolicy.org/sites/default/files/datahub/LEPstate-countyData.xlsx>

2. Analyzed the LEP demographic data for the **JRDS** program and/or service area by calculating the *Safe Harbor Threshold* for two to three of the largest language groups identified other than English.

a. The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that “Speaks English less than very well” by the total population of the county.

i. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less) **Jay-Randolph Developmental Services** must provide translation of vital documents in written format for the non-English users.

ii. Examples of written translation of vital documents include the Title VI policy statement and/or Notice to the Public (Appendix 2), Title VI Complaint Procedure (Appendix 3), Title VI Complaint Form (Appendix 4), and ADA paratransit eligibility forms.

3. Explained the results of the analysis of the county LEP data in the demographic section of the Four Factor Analysis.

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

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

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

Additional Required Elements

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

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

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

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

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

And, any additional information deemed necessary.

Section 5310 grantee – Summary of the Language Assistance Plan Components

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

Factor 1 – Demography

Jay-Randolph Developmental Services provides transportation services in Jay and Randolph counties.

The US Census Bureau – American Fact Finder (2008-2012) reports there are numerous languages spoken in USA Counties. Some of these languages include Spanish, German, Russian, Japanese, Hmong, and Vietnamese. After English, the second largest language group is Spanish.

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

In Jay and Randolph County, with a population estimate of 600 persons have identified themselves as Spanish speaking and “speaks English less than well”. This language group is less than 1% and below the 5% or 1,000 person threshold. This means JRDS is not required to provide written translation of vital documents. All of the other language groups listed above are also below the safe harbor threshold. This means, at this time, JRDS is also not required to provide written translation of vital documents in these languages.

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

Factor 2 – Frequency

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

JRDS provides rides to minority persons, but while formal data has not been collected, the Section 5310 grantee has indicated it has encountered (0) zero LEP persons using the service within the last six months.

Factor 3 – Importance

JRDS understands a LEP person with language barrier challenges also faces difficulties obtaining health care, education or access to employment. A transportation system is a key link to connecting LEP persons to these essential services.

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

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

Factor 4 – Resources and Costs

Even though JRDS does not have a separate budget for LEP outreach, JRDS will work to implement low cost methods of reaching LEP persons. In addition, JRDS will work with local advocacy groups to reach LEP populations.

Jay-Randolph Developmental Services employees are educated on the principles of Title VI and the Jay-Randolph Developmental Services Inc.'s Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs.

An important discussion point is that of language assistance. If an employee needs further assistance related to LEP program participants, her/she will work with the Jay-Randolph Developmental Services Inc.'s Title VI Coordinator to identify strategies to meet the language needs of the participants of the program or service.

Jay-Randolph Minority Representation Information

Minority Representation Table

Body	Caucasian	Hispanic	African American	Asian American	Native American
Population	97%	2%	0%	0%	1%
Board of Directors	100%	0%	0%	0%	0%
TAC	100%	0%	0%	0%	0%

Efforts to Encourage Minority Participation

Jay-Randolph Developmental Services understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, JRDS encourages participation of all its citizens. As vacancies on boards, committees and councils become available, JRDS will make efforts to encourage and promote diversity. To encourage participation on its boards, committees and councils, JRDS will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, JRDS will create ways to make participating realistic and reasonable. Such as, scheduling meetings at times best suited to its members and providing transportation.