Davis County Senior Services

The Agency affirms:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms "programs or activities" to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.

2. Davis County Senior Services is a Local Government entity. It is the policy of Davis County Senior Services to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.

3. The Davis County Senior Services Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.

4. Davis County Senior Services will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.

5. The Agency recognizes the need for annual Title VI training for Agency personnel.

Name of Signatory or
Davis County Commission

10/16/2018
Date

ATTEST:

Curtis Koch,
Davis County Clerk/Auditor

1. UDOT Compliance/Monitoring Review and Training

Davis County Senior Services agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process.

1.1 In conducting on-site reviews, the UDOT PTT Compliance Officer looks for the following:

1. Clearly displayed Title VI posters with the required information (in vehicles and in public spaces)
   a. Description of Title VI
   b. Explanation of how to obtain Title VI information
   c. Explanation of how to file a complaint
   d. Available complaint forms
2. Current file containing complaints
3. UDOT conducts periodic on-site monitor assessments to determine the sub recipient's compliance with the FTA Title VI regulations. These reviews include service measurements, location of transit service and facilities, participation opportunities in the transit planning and decision-making processes, and communication needs of persons with limited English proficiency (LEP).

Davis County Senior Services agrees to participate in training that includes Title VI and its requirements. The UDOT PTT Compliance Officer presents the following:

1. Introduces Title VI and its requirements for compliance
   a. Provides information regarding outreach opportunities to minority populations and demographic information
2. Provides sample Title VI posters (including required signatures and contact information)
   a. Discusses required poster locations
3. Discusses LEP and provides the sample UDOT LEP tools
4. Discusses Title VI complaint forms
5. Provides sample Title VI complaint forms
6. Discusses the required maintenance of a Title VI file readily available for review
7. Discusses the reporting requirements and the annual Certification and Assurances
   a. Discusses the required Title VI verification, including a description of lawsuits and complaints for the past year

In addition to new sub recipients, training by the UDOT PTT Compliance Officer and UDOT Civil Rights staff is also conducted as requested and as changes in the law occur, as needed. Both the Compliance Officer and the Civil Rights staff are also available any time as a technical resource for questions or concerns regarding Title VI and its requirements.

1.2 Certification and Assurance Submission

Davis County Senior Services agrees to submit the annual Title VI assurance to UDOT as part of the annual Certification and Assurance submission.

1.3 Title VI Complaint Procedures

UDOT investigates and tracks Title VI complaints filed with UDOT against sub recipients.

1.4 Procedure for Investigations, Complaints and Lawsuits

UDOT has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or sub recipients that allege discrimination on the basis of race, color, or national origin. This list includes the date the 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 or sub recipient in response to the investigation.

2. Title VI Complaint Procedure and Investigation Guidelines

Davis County Senior Services has developed procedures for investigating and tracking Title VI complaints filed against them and has made those procedures for filing a complaint available to the public. The complaint procedure is outlined below:

2.1 Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by Davis County Senior Services may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form (see appendix A). Davis County Senior Services will investigate complaints received no more than 180 calendar days after the alleged incident. Davis County Senior Services will process complaints that have completed all elements of the complaint form.

Once the complaint is received, Davis County Senior Services will review it to determine they have jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by Davis County Senior Services.

Davis County Senior Services has 10 business days to investigate the complaint. If more information is needed to resolve the case, the agency may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, Davis County Senior Services will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed, or
2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident, and explains if 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 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, Davis County Senior Services will forward appeals to the UDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by Davis County Senior Services or UDOT to resolve the complaint.

A person may also file a complaint directly with the Utah Department of Transportation at:

Utah Department of Transportation

Civil Rights Division
Attn: Becki Bryce
Title VI Coordinator
4501 South 2700 West, P.O. Box 141520
Salt Lake City, UT 84114-1520

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

2.2 Title VI Informal Complaint Policy

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by Davis County Senior Services' identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log. If the complaint cannot be resolved informally, Davis County Senior Services' identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

2.3 Title VI Log of Complaints/Lawsuits, etc.

Davis County Senior Services will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved. See Appendix A for sample complaint log.

3. Title VI Notice to Beneficiaries

Davis County Senior Services will provide information to the public regarding the agency's obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, Davis County Senior Services shall disseminate this information to the public by posting the notice on its website and in local media. Davis County Senior Services will document where and when this information is posted.

Davis County Senior Services will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

Davis County Senior Services is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or nation 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.

To request additional information on Davis County Senior Services' Title VI policy, or to file a discrimination complaint, please contact Davis County Senior Services at 801-525-5163

The Complaint Procedure is located at North Davis Senior Activity Center, 42 South State Street, Clearfield, UT and at http://www.daviscountyutah.gov/health/family_health/senior_activity_centers/default.cfm

A complainant may file a complaint directly with the Utah Department of Transportation:
Utah Department of Transportation
Civil Rights Division
Attn: Becki Bryce
Title VI Coordinator
4501 South 2700 West, P.O. Box 141520
Salt Lake City, UT 84114-1520

For information in another language, contact the UDOT reception desk at 801-965-4000 or go to UDOT's Translators website at www.udot.utah.gov/go/titleVI
Title VI Poster Requirements

Davis County Senior Services will provide a poster to meet the requirements listed below and will provide updates as required. They will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address

- For more information, visit http://www.daviscountyutah.gov/health/family_health/senior_activity_centers/default.cfm
- FTA and UDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed 801-525-5167 Ensure the sentence inserted on the poster is also provided in any language(s) spoken by LEP populations that meet the Safe Harbor Threshold.

4. Public Participation Plan

Davis County Senior Services will work with UDOT staff to identify targeted minorities within the service area. UDOT PTT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the agency's service area. Davis County Senior Services will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. All activities related to Title VI outreach will be documented and maintained on file. This plan and documentation will be made available at UDOT's request.

Davis County Senior Services will coordinate with the regional mobility manager to ensure that the agency is included in regional planning efforts and that regional planning efforts include outreach to targeted populations within the service area.

Davis County Senior Services will provide a summary to UDOT of all outreach efforts upon request or prior to future plan submittals and review and recognizes that future funding for new or revised service requires documentation of the above efforts.

5. Limited English Proficiency

Davis County Senior Services is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, Davis County Senior Services assures that no person 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 FTA service, program, or activity.

1. Indicate the number or proportion of LEP persons eligible to be served or likely to be encountered by the program.
   a. Describe how LEP persons interact with the Agency.
   b. Identify LEP communities by language group.
   c. Identify whether LEP persons are underserved by the Agency service due to language barriers.
2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:
   a. Buses
   b. Public meetings
   c. Customer service interactions
   d. Surveys
3. Describe the service and the nature of importance of the service (narrative).
   a. Participate in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities especially those with LEP needs.
   b. Include special language assistance for public meetings.
4. Indicate the resources available to Agency for LEP outreach, as well as the costs associated with that outreach.

6. Staff Ongoing Title VI Training Process/Description

All Davis County Senior Services staff and volunteers will be trained annually and as newly hired staff/volunteers on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI complaint form
- Complaint log
- LEP

Davis County Senior Services will utilize UDOT staff to assist with trainings. Training log will be signed by all participants when training is completed and filed as part of the Title VI program documentation.

Appendix A- Forms

Davis County Senior Services
Title VI Complaint Form

Complaints must be filed within 180 days of the alleged act of discrimination.

Section I

Name:_____Address:_____

Telephone Numbers:
(Home)_____(Cell)_____

Email Address:_____

Accessible Format Requirements? Large Print _____ Audio tape _____ TDD _____
Other_____

Section II

Are you filing this complaint on your own behalf? Yes ____ No ____
[If you answered "yes" to this question, go to Section III.]

If not, please supply the name and relationship of the person for whom you are complaining:

Name:_____ Relationship to you:_____

Reason you filed for them: _____

Have you obtained the permission of the aggrieved party to file on their behalf? Yes ____ No ____

Section III

Have you previously filed a Title VI complaint with this agency? Yes____ No___

Section IV

Name of agency complaint is against:_____

Agency Contact person: _____ Title: _____

Telephone number: _____

On separate sheets, please describe your complaint. You should include specific details such as names, dates, times, route numbers, witnesses, and any other information that would assist us in our investigation of your allegations. Please also provide any other documentation that is relevant to this complaint. Please include the basis of the complaint; race, color, national origin, sex, age, disability or income status.

Signature: _____ Date:_____
We cannot accept your complaint without a signature.

Please mail your completed form and attached sheets to :
Kristy Cottrell Davis County Senior Services Title VI Coordinator PO Box 618 Farmington, UT 84025

Title VI of the Civil Rights Act of 1964, prohibits discrimination on "grounds of race, color, national origin, sex, age or disability". The Civil Rights Restoration Act of 1987 established that Title VI is applicable to all programs and activities of federal aid recipients and contractors.

"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 subjected to discrimination under any program or activity receiving Federal financial assistance."

For Further Information or if you feel that you have been discriminated against, please contact:

Davis County Senior Services
Title VI Coordinator
Kristy Cottrell, Division Director
P.O. Box 618
Farmington, UT 84025
(801)525-5163
Kcottrell@co.davis.ut.us

UDOT Title VI Coordinator
Becki Bryce
Utah Department of Transportation
Civil Rights Division
4501 S 2700 W P.O. Box 141520
Salt Lake City, UT 84114-1520
bbryce@utah.gov
(801)965-4384; Fax (801)965-4101

UDOT ADA Coordinator
Aubrey Garduno
Utah Department of Transportation
Dept of Human Resource
4501 S 2700 W P.O. Box 141425
Salt Lake City, UT 84114
aubreygarduno@utah.gov
(801)965-4095

Hearing Impaired: 711 or 1-800-346-4128

El Título VI de la Ley de Derechos Civiles de 1964, prohíbe la discriminación por "motivos de raza, color, nacionalidad, sexo, edad o discapacidad". La Ley de Restauración de Derechos Civiles de 1987 estableció que el Título VI es aplicable a todos los programas y actividades de los beneficiarios y contratistas de ayuda federal.

"Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de participar, se le negarán los beneficios o será objeto de discriminación en ningún programa o actividad que reciba asistencia financiera federal".

Para obtener más información o si cree que lo han discriminado, comuníquese con:

Davis County Senior Services
Title VI Coordinator
Kristy Cottrell, Division Director
P.O. Box 618
Farmington, UT 84025
(801)525-5163
Kcottrell@co.davis.ut.us

UDOT Title VI Coordinator
Becki Bryce
Utah Department of Transportation
Civil Rights Division
4501 S 2700 W P.O. Box 141520
Salt Lake City, UT 84114-1520
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Aubrey Garduno
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Salt Lake City, UT 84114
aubreygarduno@utah.gov
(801)965-4095
Hearing Impaired: 711 or 1-800-346-4128

TITLE VI COMPLAINT LOG

Davis County Senior Services

Case #	Date Complaint Filed	Complainant	Complainant Address	Basis of Complaint	Date Investigation Completed	Disposition	Date of Disposition

Appendix B- LEPP

Limited English Proficiency Plan

Introduction

The majority of people living in the United States read, write, speak, and understand English. There are, however, many persons for whom English is not their primary language. These persons, who have limited ability to read, write, speak or understand English, are considered limited English proficient, or "LEP." Language barriers often inhibit, or prohibit, LEP persons from accessing benefits and services, from understanding and exercising rights, from fulfilling responsibilities and obligations, and from understanding information provided to them regarding federally funded programs, activities, and services.

In an effort to continue to provide a cooperative and comprehensive transportation service for residents of Davis County, a Limited English Proficiency Plan has been developed. The Limited English Proficiency Plan (LEPP) outlines how to identify persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. The goal of the LEPP is to ensure that all residents of Davis County can, to the fullest extent practicable, participate in the transportation planning and decision-making process.

Title VI and Executive Order 13166

Davis County is committed to incorporating Title VI considerations into its public participation process. During the public participation process, populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered.

Title VI states that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. Title VI prohibits discrimination: whether intentional or where the unintended effect is unduly burdensome. The Title VI Complaint Procedure outlines the Title VI policy, how an individual may submit a complaint, how the complaint will be investigated and potential resolution scenarios.

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

This Limited English Proficiency Plan outlines Davis County's efforts to make information available to limited English proficient (LEP) persons. According to U.S. Department of Transportation Guidelines, a four-factor analysis is used to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

Four Factor Analysis

The Four Factor Analysis considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.

2. The frequency with which LEP individuals come in contact with the program.

3. The nature and importance of the program, activity or service provided by the federal-funding recipient to people's lives.

4. Resources available to federal-funding recipients and costs of language assistance.

Factor 1: The number and proportion of LEP persons in the service area.

The latest Census Bureau data was reviewed in order to analyze the profile of Davis County's population. For the purposes of the LEPP, persons that identified themselves as speaking English less than "very well" are considered LEP persons.

Table 1 is reflective of the Davis County populations who speaks English less than "very well" and meet the Safe Harbor Provision. The Safe Harbor Provision states that federal agencies are considered to have strong evidence of compliance if they have translated vital documents into the languages for LEP groups numbering 5% of the population or 1,000 persons, whichever is less

Table 1: Total LEP Population, Davis County

	Total Population	% of Total Pop	% of LEP
Davis County	299,200	97.7%	
Total LEP*	27,949	9.3%	100%
Spanish	18,434	6.2%	65.9%
Other Indo-European languages	4,369	1.5%	15.6%
Asian and Pacific Islander languages	4,729	1.6%	16.9%
Other languages	417	0.1%	1.6%

Source: 2012-2016 American Community Survey 5 year estimates, Population 5 years and over http://factfinder2.census.gov; (3 October 2018)

Factor 2: The frequency in which LEP Persons Encounter the Davis County Programs.

Davis County is an area with a rapidly growing population. Encounters with LEP populations are likely to increase in the future.

Currently, Davis County Senior Services staff encounter persons with limited English proficiency on a daily basis at its three senior activity centers. LEP persons are provided with translation services if necessary and are given written information regarding services and programs.

Factor 3: The Importance of the Service Provided by Davis County

Davis County provides a range of services to Davis County residents including public safety, record keeping, planning and community development, and other community services. Among the most important of the services, are those transportation services provided through the Davis County Department of Health's Senior

Services. Ensuring access to services for the population age 60 and over and to persons with disabilities is vital to overall community health.

Public participation is a priority consideration in all Davis County plans, studies and programs. Understanding and continued involvement are encouraged throughout all processes.

Davis County currently posts agendas for all Commission and Board of Health meetings, which are open to the public.

Factor 4: The Resources Available and Overall Cost

The fourth and final factor of the analysis weighs the preceding three factors to assess the needs of LEP persons within the County against the resources available to the County and the costs of providing access.

Davis County seeks input from all stakeholders, and every effort is made to ensure that the public process is as inclusive as possible. Continued public involvement and participation is encouraged throughout the process. At this time, it is not feasible for Davis County to translate all vital documents into the languages identified in the LEP analysis. Documents will be provided in English and Spanish. Bilingual staff will be used to communicate with individuals as needed. I Speak Cards will be used at local centers. Davis County is committed to providing free oral language translation services at any time requested, as long as appropriate time is allowed to acquire translation services.

MEETING REQUIREMENTS & IMPLEMENTATION

Identifying LEP Individuals Who Need Language Assistance

When first encountering a LEP individual in a face-to-face situation, Davis County staff will use language identification flashcards developed by the U.S. Census Bureau. These cards have the phrase, "Mark this box if you read or speak 'name of language," translated into 38 languages. They were designed for use by government and nongovernment agencies to identify the primary language of LEP individuals during face-to-face contacts. The Census Bureau's Language Identification Flashcard can be downloaded for free at http://www.lep.gov/ISpeakCards2004.pdf. Davis County plans to make them available at public meetings and other community input events, as well as in vehicles. Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

Types of language services available

In the event that Davis County should receive a request for assistance in a language other than English, staff members will take the name and contact information of the person. If the language requested is represented by a County employee, they will be contacted to arrange oral language translation. For languages that employees may not speak, a phone translation service will be utilized to interact with LEP persons.

Within its budget and capabilities, the Davis County staff pledges that it will, to the best of its abilities, ensure that LEP persons have a meaningful opportunity to participate in the planning and decision-making process, in providing access to services.

Staff Training

Current staff members and incoming staff members will be trained on the LEPP and how to assist LEP persons. They will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

Annual refresher training will be conducted with all staff members to address changes in the plan, needs of LEP persons and requirements of documentation and tracking of requests.

Monitoring and Updating the LEPP

This LEPP is designed to be flexible and easily updated. At a minimum, Davis County will follow the Title VI program update schedule, as directed by UDOT. Davis County understands that its community profile continues to change and that the four-factor analysis may reveal the need for additional LEP services in the future. As such, Davis County will examine its Title VI Plan to ensure that it remains reflective of the community's needs, during regular updates to the public participation process and community needs assessment.

Each update should consider the following components:

- How many LEP persons were encountered? Were their needs met?
- What is the current LEP population in Davis County?
- Has there been a change in the types of languages where translation services are needed?
- Has Davis County's available resources, such as technology, staff, and financial costs, changed?
- Has Davis County fulfilled the goals of the LEPP?
- Were there any complaints received?
- Have new federal or state regulations *concerning LEP* Plans been approved that necessitate the changes to the current LEPP or process for addressing LEP persons?

Providing Notice to LEP Persons

It is important to notify LEP persons of services available free of charge in a language that would be understood. Davis County will modify and add their information to UDOT's Title VI Notice, which will at the reception desk of each senior activity center, the main reception desk of the Health Department and other public places as seen fit, as well as in the County's Title VI plan.

Dissemination of the Limited English Proficiency Plan

Davis County's LEPP will be posted on the Davis County Website at: daviscountyutah.gov. Copies will be provided to the Utah Department of Transportation (UDOT), the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and any person or agency requesting a copy.

Any questions or comments regarding this plan should be directed to:

Title VI Coordinator: Kristy Cottrell
22 South State Street
Clearfield, UT 84015
801-525-5163
kcottrell@daviscountyutah.gov

Mailing Address: Davis County Senior Services
Attn: Kristy Cottrell
Title VI Coordinator
PO Box 618
Farmington, UT 84025