

# **ARC TAFT**

## **Title VI Program**

**Developed: June 2017**

**Adopted by the Taft Arc Board of Directors:  
June 28, 2017**

**ARC TAFT  
204 Van Buren St  
Taft, CA 93268  
(661) 763-1532**

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# Title VI Program

## Arc Taft

### Arc Taft BOARD OF DIRECTORS All terms 2015/2017

#### OFFICERS

NAME	POSITION	TERM	OCCUPTION	PHONE/FAX
Stephanie House	President	2016-18	Westside Rec	
Edith Laurin	Secretary/Treasurer	2016-18	Director of FORT	
Christy Durkan	Member	2016-18	Owner: Bangs n Tangles	
Jan Ashley	Member	2015-17	RN	
Lisa Brown	Member	2015-17	Real Estate	
Tom Haymes	Member	2015-17	Client Rep	

**Mission Statement: Arc Taft strives to provide adults with intellectual disabilities the opportunities to maximize their independent living skills so they can experience full integration within their community.**



## ***NOTICE***

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

Arc Taft operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with Arc Taft.

For more information on Arc Taft's civil rights program, and the procedures to file a complaint, contact (661) 763-1532 or visit the administrative offices at 204 Van Buren St, Taft, CA 93268.

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, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590

*If information is needed in another language, contact (661) 763-1532 for assistance. Si require información en otro idioma, llame a (661)763-1532.*

## List of Locations Where Title VI Notices are Posted

Arc Taft's Title VI Notice to the public is currently posted in the following locations:

Location Name	Address	City
Arc Taft Main Office Bulletin Board	204 Van Buren St	Taft, CA
Arc Taft Buses	204 Van Buren St	Taft, CA
Arc Taft website	<a href="http://www.arctaft.com">www.arctaft.com</a>	

Arc Taft's Title VI Notice (in English and Spanish), Complaint Forms (in English and Spanish), and How to File a Title VI Complaint (in English and Spanish) are posted on the Arc Taft website.

## **Title VI Complaint Procedures**

As a recipient of federal financial assistance, Arc Taft is required to comply with Title VI of the Civil Rights Act of 1964 and ensure the services and benefits are provided on a non-discriminatory basis. Arc Taft has a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in the Federal Transit Administration Circular 4702.1B dated October 1, 2012.

***How to File a Title VI Complaint with Arc Taft:*** Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination on the basis of race, color, or national origin with respect to Arc Taft's programs, activities, services, or other transit related benefits, may file a written Complaint with Arc Taft. A Complaint may be filed by the individual or by a representative. A Complaint must be filed within 180 days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. Arc Taft will promptly investigate all Complaints filed under Title VI, pursuant to this Regulation.

***Complaint must include the following information:***

- A Complaint must be in writing and signed and dated by the Complainant or his/her representative before any action can be taken.
- A Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The Complaint shall include a description of the program, activity or service on which the alleged discrimination occurred.

***A Complaint Form*** can be used to file a Title VI complaint with Arc Taft. A ***Complaint Form*** will be made in an accessible format upon request. A ***Complaint Form*** can be obtained at:

- By calling Arc Taft at (661) 763-1532 a complaint form can be mailed.
- By picking up a complaint form at 204 Van Buren St, Taft, CA 93268.

If the Complaint is received by anyone besides Arc Taft's Executive Director, the individual in receipt of the Complaint shall forward it to the Executive Director or his/her designee as soon as practicable but no later than two (2) business days of receipt. The Executive Director shall immediately provide a copy of the Complaint to the Chairperson of the Board of Directors regarding the program, activity or service that is identified as being out of compliance.

## ***Procedures for Investigating Complaints***

- Within ten (10) business days, the Executive Director or his/her designee shall send an acknowledgment letter to complainant informing him/her of receipt of the complaint, who will be assigned as investigator of the complaint, and may ask for any additional information of the alleged incident from the complainant.
- If more information is needed to resolve the complaint, the investigator shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated.
- If Arc Taft's investigator requests information, complainant has ten (10) business days from date of request to reply with additional requested information. If investigator is not contacted or does not receive the additional information within the required time, then the investigator can administratively close the case.
- As soon as it is practicable, but no later than thirty (30) business days following receipt of the initial complaint, the investigator shall inform the complainant of his/her findings and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.
- The investigator shall prepare a written report of his/her findings, including the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint, and if corrective action is required, a timetable for the completion of such action. The Investigator will submit written report to Executive Director for her/his recommendations and approval.

## ***Appeal Process***

If the complainant is not satisfied with the findings and/or action of Arc Taft's Executive Director or his/her designee, then the complainant may file his/her Complaint with the Chair of the Board of Directors or with the FTA's Office of Civil Rights.

### **FTA Civil Rights Office Address:**

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator East

Building, 5<sup>th</sup> Floor – TCR 1200 New Jersey

Avenue, S.E. Washington, DC 20590

TTY: 1-800-877-8339 Voice: 1-866-377-

8642 [FTA.ADAAssistance@dot.gov](mailto:FTA.ADAAssistance@dot.gov)

**Arc Taft**

**TITLE VI DISCRIMINATION COMPLAINT FORM**

**204 Van Buren St**

<b>Complainant's Name:</b>											
<b>Street Address:</b>											
<b>City/State/Zip:</b>											
<b>Phone:</b>						<b>E-Mail Address:</b>					
<b>Date of Violation:</b>						<b>Time of Violation:</b>					
<b>Date of Complaint:</b>						<b>Place of Violation:</b>					
<b>Bus Number:</b>						<b>Bus Route:</b>					
<b>Discrimination because of:</b>						<input type="checkbox"/> Race		<input type="checkbox"/> Color		<input type="checkbox"/> National Origin	

**Please provide the name(s) of the Arc Taft employees who allegedly discriminated against you, including their job titles (if known).**

**Identify what Arc Taft service, program, or activity did not comply with Title VI of the Civil Rights Act of 1964.**

**Identify individuals by name, address and phone number that has information relating to the violation.**

**Explain as clearly as possible what happened, how you feel you were discriminated against and who was involved. Please include how other individuals were treated differently from you.**

***Signature of Complainant:***

**Date:**



## **List of Transit-Related Title VI Complaints, Investigations, and Lawsuits**

Arc Taft has not been involved in any transportation related Title VI complaints, investigations, or lawsuits.

<b>Type Of Process</b>	<b>Date</b>	<b>Summary (including basis of complaint)</b>	<b>Status</b>	<b>Action(s) Taken</b>
Complaints		None		
Investigations		None		
Lawsuits		None		

## **Public Participation Plan**

Arc Taft is a 501c(3) non-profit corporation providing life skills and employment training opportunities for individuals with intellectual disabilities. Arc Taft provides specialized transportation services to 21 persons with disabilities who need continued and flexible availability of transportation for program attendance.

The disabled adults served by Arc Taft participate in specifically designed daily programs developed by the Kern Regional Center (KRC). The KRC coordinates all transportation with Arc Taft. In addition, Arc Taft provides recreation programs that require specific transportation for adult activities for after school, evenings, and weekends. Arc Taft also services independent living disabled adults in the Arc Taft Supported Living Services Program. These adults can require flexible transportation at any time, including evening hours or weekends. Arc Taft is a rural agency. Arc Taft also provides transportation to medical appointments in the Bakersfield area.

Arc Taft's Activity Center transportation is available beginning at 7:00 AM in the morning and ending at 3 PM in the evenings Monday through Friday for disabled individuals in adult day programs.

Arc Taft offers other specialized transportation needed for supported services (doctor, dental, and vision appointments, return to home), outside events/activities, field trips and client emergencies that may take place after hours and on weekends.

### **Summary of Outreach Efforts**

The following is a summary of outreach efforts conducted by Arc Taft as they relate to Title VI requirements under the Public Participation Plan. Many of our activities are conducted in partnership or ad hoc outreach with other service organizations and non-profit agencies within the community.

#### **Westside Recreation**

Arc Taft works in conjunction with the Westside Recreation department to schedule out of town activities that combine both programs. Activities are planned to enhance the lives of minority, low-income, disabled, and seniors that would otherwise be unable to attend such community events due to unmet transportation needs.

#### **Annual Meet n Greet at Taft Union High School**

Arc Taft participates annually in a class at Taft Union High School. This event is designed to inform families and young adults transitioning from High School of the varied services that are available in Kern County. Taft Union High School provides Spanish speaking staff in order to reach Limited English Proficient individuals in the community.

## Youth for Christ

Arc Taft provides transportation several times a year for this non-profit organization that provides support, leadership, and guidance to at risk youth in our community.

# Limited English Proficiency (LEP) Plan

## Language Assistance Plan

### Overview

The first section in this document describes the purpose of the Language Assistance Plan (LAP). The second section in this document provides the four-factor Limited English Proficiency (LEP) analysis as outlined in the Department of Transportation (DOT) used to identify LEP needs and assistance measures. The four-factor LEP analysis includes:

- **Factor 1:** The number or percentage of LEP persons in the service area who may be served or likely to encounter a Arc Taft program, activity, or service.
- **Factor 2:** The frequency with which LEP individuals come into contact with Arc Taft programs, activities, and services.
- **Factor 3:** The nature or importance of the programs, activities, or services provided by Arc Taft to the LEP population.
- **Factor 4:** The resources available to Arc Taft and the overall costs associated to provide effective language assistance

The third and final section discusses the implementation of the Language Assistance Plan, which includes methodologies for identifying LEP individuals, providing services, establishing policies, monitoring the Language Assistance Plan (LAP), and recommendations for future LAP implementation.

### Purpose of the Language Assistance Plan (LAP).

**Title VI of the Civil Rights Act of 1964**, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.

**Executive Order 13166**, “Improving Access to Services for Persons with Limited English Proficiency,” reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

**The FTA Circular 4702.1B**, “Title VI and Title VI-Dependent Guidelines for FTA Recipients,” which was published on April 13, 2007. Chapter IV part 4 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and sub recipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance.

## **Four-Factor Analysis**

**Factor 1:** The number or proportion of LEP persons in the service area who may be served or are likely to encounter an Arc Taft program, activity or service.

Arc Taft provides specialized transportation services to 21 persons with disabilities who need continued and flexible availability of transportation for program attendance. Arc Taft does not offer transportation services to the general public.

Since people with Intellectual and Developmental Disabilities are referred to Arc Taft by Kern Regional Center (KRC) for program services, general county population data does not accurately represent the percentage of Limited English Proficient clients served by our transportation services. The U.S. Census Language Survey Report will be used for comparison purposes only.

**2015 American Community Language Survey Report** estimates that of the 27,545 West Kern, Kern County CCD residents, 6,461 or 23.0% speak Spanish, and 3,036 or 11% speak Spanish less than “very well”. All other non-english languages make up less than 3% of the population.

<b>Kern County, California</b>	<b>Estimate</b>	<b>Percentage</b>
<b>Population Total</b>	<b>27,545</b>	<b>100.0%</b>
<b>Speak Only English</b>	<b>20,238</b>	<b>73%</b>
<b>Speak Spanish</b>	<b>20,238</b>	<b>23%</b>
<b>Speak English “Very Well”</b>	<b>482</b>	<b>.02%</b>
<b>Speak English “Less Than Very Well”</b>	<b>364</b>	<b>.01%</b>

**LEP Persons Served by Arc Taft**

In analyzing Arc Taft’s intellectually disabled client population referred to us by Kern Regional Center (KRC), there are no people we serve who qualify as speaking English less than “very well”.

If the occasion arose where a Arc Taft received a referral for a new client/s that speaks English less than “very well”, that client will be matched with a bi-lingual staff as their team leader, and also has a bi-lingual Client Coordinator assigned to answer any questions or problems from the clients’ families.

**Ethnicity Percentage of Kern County Population, Arc Taft Board, Arc Taft Clients, and Arc Taft Staff.**

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>
<b>Population</b>	<b>38.8%</b>	<b>49.2%</b>	<b>5.8%</b>	<b>4.3%</b>	<b>1.5%</b>
<b>Arc Taft Board</b>	<b>100%</b>	<b>0.0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
<b>Arc Taft Clients</b>	<b>100%</b>	<b>0.0%</b>	<b>0%</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Arc Taft Staff</b>	<b>69%</b>	<b>31%</b>	<b>0%</b>	<b>0.0%</b>	<b>0%</b>

**Factor 2.** The frequency with which LEP persons come in contact with Arc Taft programs, activities or services.

- Arc Taft assessed the frequency with which staff have, or could have, contact with LEP persons. This includes documenting phone inquiries for requests for interpreters and translated documents. The most frequent contact between LEP persons is with staff during community outings. This has not occurred since 2014.

Arc Taft will remain prepared to incorporate bi-lingual staff in answering family questions that may arise during the program day, attend clients’ annual and semi-annual meetings with LEP families and care providers, answering LEP phone calls, and ensure that bi-lingual personnel are posted in high volume areas, such as Client Coordination and Administrative offices for any LEP visitor needing assistance.

**Factor 3.** The nature and importance of programs, activities or services provided by Arc Taft to people’s lives.

Arc Taft provides a number of important programs and services to our intellectually disabled clients from Life Skills training, Supported Living Services, and vocational training.

**Factor 4.** The resources available to Arc Taft for LEP outreach, as well as the costs associated with that outreach.

Arc Taft assessed its available staff resources that could be used for providing LEP assistance, and feel that our current resources are adequate to provide the necessary LEP services needed for our clients and their families' needs.

To provide outreach to LEP clients and families, any announcements, fliers, or consent forms are available in English and Spanish. The associated costs to produce these documents are minimal and absorbed into the day to day operating costs.

### ***Language Assistance Implementation Plan***

#### **Identifying LEP Individuals**

Arc Taft currently has no clients whom qualify as speaking English less than "very well".

Arc Taft's Hispanic staff are bi-lingual and capable of providing translation services to LEP community which requires our services or programs.

#### **Providing LEP Services**

While Arc Taft does not currently have an on-going need for professional translation services, on-site staff who are fluent in Spanish can provide translation services at our facilities. Documents that are offered in Spanish include:

- Title VI Notice to the Public
- Title VI Compliant Form
- Title VI Compliant Procedures
- Client Permission Forms
- Announcements and Fliers sent home to client's families

Other documents are translated into Spanish as the need arises.

#### **Communicating Availability of Language Assistance**

Intellectually disabled clients who are referred to Arc Taft from Kern Regional Center (KRC) and require LEP service will be assigned a staff member who can offer Spanish translation services to clients and family members as appropriate. Arc Taft's bilingual staff account for 31.% [of total staff] and are present all service hours for in-person or phone customer service at the administrative offices.

#### **Monitoring**

Arc Taft will continue to identify and mitigate barriers that are created by environmental factors, attitudinal factors, financial and employment barriers including communication barriers such as language.

Evaluation of each individual client's service needs, including language skills and barriers to language accessibility services are conducted on a semi-annual basis at their client meetings with the KRC Service Coordinator and family members present.

Language translation services are provided by in-service staff to afford family members the opportunity to indicate if additional language services are needed for each client advocacy rights.

Arc Taft will review and update the Title VI Plan every three (3) years in conjunction with the Title VI submission. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether any complaints have been received concerning Arc Taft's failure to meet the needs of LEP individuals

### **Staff Training**

Arc Taft provides In-Service training to staff in a number of subjects, including Language Assistance training. We also train staff on the following:

- Information on the Arc Taft Title VI Procedures and LEP responsibilities
- Description of language assistance services offered to the public
- How to document language assistance requests on a monthly basis.
- How to handle a potential Title VI/LEP complaint

## *Safe Harbor Provision*

The Federal Transit Authority Circular 4702.1B states:

*“DOT has adopted DOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral translation of those written materials, free of cost.*

*These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.*

Arc Taft programs serve individuals with moderate to severe intellectual and developmental disabilities that require moderate to a high level of supervision. The following documents are available in English and Spanish: all client forms and program brochure. Resources will be made available if a non-English speaking or non-Spanish speaking client presents themselves.



### ***Membership of Non-Elected Committees and Councils***

Arc Taft does not have a non-elected transit related advisory committee or council at this time.

### ***Title VI Equity Analysis***

Arc Taft does not have transit related facilities.



*For people with intellectual  
and developmental disabilities*

204 Van Buren Street \* Taft, California 93268 \* (661) 763-1532 \* FAX (661)  
763-1172

I, Stephanie House, being the President of the Board for Arc Taft, organized and existing under the laws of the State of California, and having it's principal place of business at 204 Van Buren Street, Taft CA 93268, hereby approve the attached Title VI Program in compliance with the Department of Transportation's FTA Circular4702.1B, requirements and guidelines for Federal Transit Administration recipients.

Stephanie House  
President, Board of Directors

11/29/2017  
Date