



## Title VI Plan

Adopted on: April 25, 2023

Adopted by: Board of Directors, The Arc of Lehigh and Northampton Counties

*This policy is hereby adopted and signed by:*

The Arc of Lehigh and Northampton Counties

Executive Name/Title: Karen L. Shoemaker, Chief Executive Officer

CEO Signature: 

### Policy Statement

The Arc of Lehigh and Northampton Counties (The Arc), as a recipient of Federal Transit Administration (FTA) grant dollars, either directly from FTA or through the Pennsylvania Department of Transportation (PennDOT), will comply with the 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

The Arc will review its policy at least once a year to determine if modifications are necessary. to ensure compliance with Title VI plan requirements.

### Policy Updates - Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Remarks
4/25/23	Policy Adoption	Karen L. Shoemaker/ Board of Directors	

## Title VI Notice to the Public

### Notifying the Public of Rights Under Title VI

#### The Arc of Lehigh and Northampton Counties

The Arc of Lehigh and Northampton Counties (The Arc) 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 Title VI may file a complaint with The Arc.

For more information on The Arc's civil rights program, and the procedures to file a complaint, contact 610-849-8076; email [fbarella@arcoflehighnorthampton.org](mailto:fbarella@arcoflehighnorthampton.org); or visit our administrative office at 2289 Avenue A, Bethlehem, PA 18017. For more information, visit [www.arcoflehighnorthampton.org](http://www.arcoflehighnorthampton.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, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC, 20590.

If information is needed in another language, contact 610-849-8076.  
*Si se necesita informacion en otro idioma de contacto, 610-849-8076.*

The Arc's Notice to the Public is posted in the following locations: *(check all that apply)*

- Agency website [[www.arcoflehighnorthampton.org](http://www.arcoflehighnorthampton.org)]
- Public areas of the agency office (common area, public meeting rooms, etc.)
- Inside vehicles
- Rider Guides/Schedules
- Transit shelters and stations
- Other, \_\_\_\_\_

### Title VI Complaint Procedure

The Arc's Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- Agency website, either as a reference in the Notice to Public or in its entirety
- Hard copy in the central office
- Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- Other, \_\_\_\_\_

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by The Arc of Lehigh and Northampton Counties may file a Title VI complaint by completing and submitting the agency's ADA and Title VI Complaint Form.

The Arc investigates complaints received no more than 180 days after the alleged incident. The Arc will process complaints that are complete.

Once the complaint is received, The Arc 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.

The Arc has 30 days to investigate the complaint. If more information is needed to resolve the case, The Arc 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 15 business days, The Arc 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 610-849-8076.  
*Si se necesita informacion en otro idioma de contacto, 610-849-8076.*

### **Title VI Complaint Procedure and Form**

The Arc of Lehigh and Northampton Counties' Title VI Complaint Procedure and ADA & Title VI Complaint Form is made available in the following locations: (*check all that apply*)

- ✓ Agency website, either as a reference in the Notice to Public or in its entirety
- ✓ Hard copy in the central office
- Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- Other, \_\_\_\_\_



## ADA and Title VI Complaint Form

The Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. To be protected by the ADA, a person must have a disability or have a relationship or association with an individual with a disability.

Title VI of the 1964 Civil Rights Act requires 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.”

If you feel you have been discriminated against in transportation/transit services, please provide the following information in order to assist The Arc of Lehigh and Northampton Counties in processing your complaint.

Please print all information CLEARLY:

<b><u>Section I:</u></b>	
Name:	
Address:	
City, State, Zip Code:	
Telephone Number: (home)	(cell)
Accessible Format Requirements?	Large Print    TDD    Audio Tape
Other:	

<b><u>Section II:</u></b>	
Are you filing this complaint on your own behalf?	YES*                      NO
If you answered YES to this question, go to <b>Section III</b>	

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 you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

<b><u>Section III:</u></b>
I believe the discrimination I experienced was based on (check all that apply):
<input type="checkbox"/> disability <input type="checkbox"/> race** <input type="checkbox"/> color** <input type="checkbox"/> National Origin**
What was the date of the alleged discrimination (Month, Day, Year)?
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form:

<b><u>Section IV:</u></b>
Have you previously filed an ADA or Title VI complaint with The Arc? YES      NO
If YES, please provide information about the contact person at The Arc with whom the complaint was filed.
Name:
Title:
Phone: _

<b><u>Section V:</u></b>
Have you filed an ADA or Title VI complaint with any other Federal, State, or local agency, or with any Federal or State Court? YES      NO
If YES, check all that apply:

_____ Federal Agency: _____
_____ Federal Court: _____
_____ State Court: _____
_____ State Agency: _____
_____ Local Agency: _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Phone:_____

<b><u>Section VI:</u></b>
Name of agency complaint is against:
Contact person:
Title:
Phone:

\*\* Indicates is specific to Title VI of the Civil Rights Act of 1964

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below:

\_\_\_\_\_  
Your Signature Date

\_\_\_\_\_  
Print your name

Please submit this form in person at the address below, or mail this form to:  
**Chief Compliance Officer**  
**The Arc of Lehigh and Northampton Counties**  
**2289 Avenue A**  
**Bethlehem, PA 18017**

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

The Arc of Lehigh and Northampton Counties maintains a list or log of all Title VI investigations, complaints, and lawsuits, pertaining to its transit-related activities.

**Check One:**

There have been no investigations, complaints and/or lawsuits filed against us during the fiscal year 2022-23

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Additional information attached as needed.*

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				





## Language Assistance Plan

### Plan Components

As a recipient of federal US DOT funding, The Arc 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.

The Arc's Language Assistance Plan includes the following elements:

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

### Methodology

To determine if an individual is entitled to language assistance and what specific services are appropriate, The Arc has conducted a *Four Factor Analysis*<sup>1</sup> of the following areas: 1) Demography, 2) Frequency, 3) Importance and 4) Resources and Costs.

#### LEP *Four Factor Analysis*

**Factor 1: Demography:** Identifies the number or proportion of LEP persons served and the languages spoken in the service area.

The first factor of the *Four Factor Analysis* is the basis of the Language Assistance Plan. It requires The Arc to review its US Census data to determine if it meets the *LEP Safe Harbor Threshold*.

#### US Census and American Community Survey (ACS) Data<sup>2</sup>

The Arc did the following:

1. Inserted a copy of The Arc's Counties' LEP data in the Title VI plan. This data was found at the LEP website <https://www.lep.gov/maps> or the US Census Bureau American Fact Finder website <https://data.census.gov/cedsci/>
2. Analyzed the LEP demographic data for the The Arc's program and/or service area by calculating the *Safe Harbor Threshold* for two to three of the largest language groups identified other than English.

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<sup>1</sup> DOT LEP guidance <https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>

<sup>2</sup> The ACS publishes data in many forms on the Census Bureau American Fact Finder website <https://www.census.gov/programs-surveys/acs/data.html>

- 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 of the population to be served) The Arc 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:** Identifies the frequency staff (and transit provider/lessee, if applicable) comes into contact with LEP persons.

LEP persons are persons identified as speaking English less than very well, not well or not at all. Just because a person speaks a language other than English doesn’t mean they don’t speak English or are identified as LEP.

The summary below discusses the frequency with which The Arc staff come into contact with LEP persons. It also provides information on the how staff is instructed to meet the needs of LEP persons. The Arc staff persons are encouraged to use LEP resource materials to assist LEP persons.

**Factor 3: Importance:** Explains how the program, service or activity affects people’s lives.

The summary below discusses how The Arc’s program and services impact the lives of person’s within the community. The Arc will specify the community organizations that serve LEP persons, if available.

**Factor 4: Resources and Costs:** Discusses funding and other resources available for LEP outreach.

The summary below discusses the low-cost methods The Arc uses to provide outreach to LEP persons as well as train staff (and transit provider/lessee, if applicable) on Title VI and LEP principles.

#### *Additional Required Elements*

In addition to the *Four Factor Analysis (listed below as item #1)*, The Arc addresses the following elements:

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 services

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

**The Arc of Lehigh and Northampton Counties  
Summary of the Language Assistance Plan Components**

Item #1 – Results of the Four Factor Analysis *(including a description of the LEP population(s) served*

**Factor 1 - Demography**

In Lehigh County, Pennsylvania with a population estimate of 369,318, 96,022 persons (approximately 26%) have identified themselves as Spanish speaking and “speak English less than well”. In Northampton County, Pennsylvania with a population estimate of 305,285, 42,739 persons (approximately 14%) have identified themselves as Spanish speaking and “speak English less than well”. 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), The Arc must provide translation of vital documents in written form for non-English speaking persons - in this case, Spanish speaking individuals receiving The Arc’s services. *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.*

All other language groups in Lehigh and Northampton Counties are below the Safe Harbor Threshold at this time, which means The Arc is not required to provide written translation of vital documents in those languages. In the future, if The Arc 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 verbal interpretation.

**Factor 2 - Frequency**

The Arc will be trained on what to do when staff encounter a person that speaks English less than well. The Arc 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 The Arc’s programs and services.

**Log of LEP Encounters**

Date	Time	Language Spoken By Individual <i>(if available)</i>	Name and Phone Number of Individual <i>(if available)</i>	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

Date	Time	Language Spoken By Individual (if available)	Name and Phone Number of Individual (if available)	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

The Arc provides transportation to approximately 50 individuals with intellectual and developmental disabilities receiving programs and services per year. The Arc maintains an open door policy with individuals and their families related to access to the community and transportation.

The “I Speak” Language identification card shown below may be used by Arc staff to assist LEP individuals. Additional languages may be added as needed to match demographic changes of The Arc’s service area.

### “I Speak” Language Identification Card

Mark this Box if you speak...	Language Identification Chart	Language
	Mark this box if you read or speak English	English
	Marque esta casilla si lee o habla español	Spanish
	Kos lub voj no yog koj paub twm thiab hais lus Hmoob	Hmong
	如果说中国在方框内打勾	Chinese
	Xin ñàunh daáu vaø oâ naøy neáu quyù vò bieát ñoïc vaø noui ñoõic Vieät Ngöõ.	Vietnamese
	당신이한국어말할경우이 상자를표시	Korean
	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	Tagalog
	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen	German
	Отметить этот флажок, если вы говорите по-русски	Russian
	Означите ову кућицу ако говорите српски	Serbian
	आप हिंदी बोलते हैं तो इस बक्से को चिह्नित करें	Hindi
	پر نشان لگائیں تو اس باکس بولتے ہیں اردو اگر آپ	Urdu

Note: For additional languages visit the US Census Bureau website <http://www.lep.gov/ISpeakCards2004.pdf>

### Factor 3 - Importance

The Arc asserts that an LEP person with language barrier challenges also faces difficulties obtaining health care, education, access to employment and nutrition meal sites, recreational services and socialization. A transportation system is a key link to connecting LEP persons to these essential services.

The Arc 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 and vehicles and providing information to the public on security awareness or emergency preparedness.

The Arc's assessment of the programs, activities and services that are most critical include contact with community organization(s) that serve LEP persons, families, other transportation providers 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***

The Arc does not have a specific budget for LEP outreach; however, the Counties of Lehigh and Northampton have worked with our transit provider/lessee to implement low cost methods of reaching LEP persons.

The Arc staff conducts outreach activities to LEP communities throughout the year to inform the public of programs and services available, including transportation services. These outreach/resource awareness efforts are low-cost methods and are accomplished by existing staff resources and the use of posting website information and developing and printing brochure/materials.

Training of The Arc staff about Title VI and LEP requirements is conducted internally. At this point, no additional training costs are incurred with the exception of printing/photocopying materials.

Item #2 – Description of how Language Assistance Services are Provided, by Language
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The Arc has bilingual speaking persons on staff to ensure mechanisms are in place to reach LEP persons in the service area. In addition, The Arc has developed relationships with language teachers in area schools as well as local Hispanic leaders to use a resource to assist in meeting the need of LEP persons, if needed.

Item #3 – Description of how LEP Persons Are Informed of the Availability of Language Assistance Service
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The Arc does the following to inform LEP persons of the availability of language assistance services:

- ✓ Review outreach activities and the frequency of contact with LEP individuals to determine whether additional language assistance services are needed
- ✓ Utilize the bilingual speaking persons on staff to assist with the development of bilingual outreach materials, including pictograms and other symbols
- ✓ Prioritize the hiring of bilingual staff, as needed

Item #4 – Description of How the Language Assistance Plan is Monitored and Updated

The Arc reviews its plan on an annual basis or more frequently as needed. In particular, The Arc will evaluate the information collected on encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivering of programs and services to ensure meaningful access to minority and LEP persons. The last update of the Language Assistance Plan was on 2/2/2023.

Item #5 – Description of How Employees are Trained to Provide Language Assistance to LEP Persons

The Arc employees are oriented on the principles of Title VI and The Arc's Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs.

If an employee of The Arc needs further assistance related to LEP individuals, he/she will work with The Arc's Title VI Coordinator to identify strategies to meet the language needs of the participants of the program or service.