Title VI Plan

CHESTER COUNTY DEPARTMENT OF HUMAN SERVICES

Adopted on: 9/21/2022

Adopted by: Board of Commissioners for the County of Chester

Revised on: 

This policy is hereby adopted and signed by:

Chester County Department of Human Services

Executive Name/Title: Patrick Bokovitz, DHS Director

Executive Signature: 

Policy Statement

Chester County Department of Human Services (DHS) 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. It is the policy of DHS that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of DHS as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of DHS, including its contractors and anyone who acts on behalf of DHS. This policy also applies to the operations of any department or agency to which DHS extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.
Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

**Title VI Plan Elements**

DHS 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 and Lawsuits  
6. Public Participation Plan  
7. Language Assistance Plan

DHS will review its policy at least once a year to determine if modifications are necessary. As applicable, DHS will meet with its third-party contractor (Rover) or lessee on an annual basis to ensure compliance with Title VI plan requirements.
TITLE VI Notice to the Public

DHS's Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

CHESTER COUNTY DEPARMTMENT OF HUMAN SERVICES

DHS 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 Chester County Department of Human Services.

For more information on the Chester County Department of Human Services civil rights program, and the procedures to file a complaint, call 610-344-6640; email cchumanservices@chesco.org; or visit our administrative office at 601 Westtown Road, Suite 128, West Chester, PA 19380. For more information, visit www.chesco.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 Propio Language Services 610-947-5471. 
Sise necesita informacion en otro idioma de contacto, Servicios Lingüísticos Propio 610-947-5471.

Chester County Department of Human Services Notice to the Public is posted in the following locations: (check all that apply)

☐ Agency website [www.chesco.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

Chester County Department of Human Services 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 based on race, color, or national origin by DHS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.

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

Once the complaint is received, DHS 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 DHS.

DHS has 60 days to investigate the complaint. If more information is needed to resolve the case, DHS may contact the complainant.

The complainant has 15 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 20 business days, DHS 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).

- **Closure letter** summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- **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 30 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, Propio Language Services 610-947-5471. *Sise necesita informacian en otro idioma de contacta, Servicios LingUfsticos Propio 610-947-5471.*
Title VI Complaint Form

Section I:
Name: 
Address: 
Telephone (Home): Telephone (Work): 
Electronic Mail Address: 
Accessible Format Requirements? | Large Print | Audio Tape | Other |
   TDD |

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:
Please explain why you have filed for a third party:
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Section III:
I believe the discrimination I experienced was based on (check all that apply):
[] Race  [] Color  [] National Origin
Date of 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.

Section IV
Have you previously filed a Title VI complaint with this agency?  Yes  No

Section V
Have you filed this 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 Agency: _______________________
- [ ] State Court: _______________________
- [ ] Local Agency: _______________________

Please provide information about a contact person at the agency/court where the complaint was filed.

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<th>Name:</th>
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<td>Title:</td>
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<td>Agency:</td>
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<td>Address:</td>
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<td>Telephone:</td>
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Section VI

Name of agency complaint is against:

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<th>Contact person:</th>
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<td>Title:</td>
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<td>Telephone number:</td>
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You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

________________________________________  __________________________

September 2022
Signature  Date

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

Chester County Department of Human Services

601 Westtown Road, Suite 128, West Chester, PA 19380

cchumanservices@chesco.org
List of Transit Related Title VI Investigations, Complaints and Lawsuits

OHS maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities.

**Check One:**

- [X] There have been **no** investigations, complaint and/or lawsuits filed against us during 2021-22.

- [ ] There have been investigations, complaints and/or lawsuits filed against us. See list below. *Attach additional information as needed.*

<table>
<thead>
<tr>
<th>Date (Month, Day, Year)</th>
<th>Summary (include basis of complaint: race, color, or national origin)</th>
<th>Status</th>
<th>Action(s) Taken</th>
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<td>Investigations</td>
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<td>Lawsuits</td>
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Public Participation Plan

Strategies and Desired Outcomes

To promote inclusive public participation, DHS will employ the following strategies, as appropriate:

- Provide for early, frequent and continuous engagement by the public.
- Select accessible and varied meeting locations and times.
- Employ different meeting sizes and formats.
- Provide childcare and food during meetings, if possible.
- Use social media in addition to other resources to gain public involvement.
- Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.
- Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

Public Outreach Activities

DHS maintains a log/record of the various types of outreach activities it uses to promote inclusive public participation. On an annual basis, DHS reviews its log of outreach activities to determine if additional or different strategies are needed to promote inclusive public participation.

The direct public outreach and involvement activities conducted by DHS are summarized in the table below. Efforts include meetings, surveys, focus groups, attendance at community events, etc.

Information collected on the size, location, meeting format, number of attendees, etc. as well as the scope of the distribution method (i.e., posters were placed in all shopping centers in the affected area) will be used for future planning efforts. Examples of additional supporting materials include copies of meeting announcements, agendas, posters, attendee list, etc.

<table>
<thead>
<tr>
<th>Event Date</th>
<th>AGENCY Staffer(s)</th>
<th>Event</th>
<th>Date Publicized and Communication Method (Public Notice, Posters, Social Media)</th>
<th>Outreach Method (Meeting, Focus Group, Survey, etc.)</th>
<th>Notes</th>
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Language Assistance Plan

Article I. Purpose

The purpose of this Language Assistance Implementation Plan is to meet Federal Transit Administration's (FTA) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination because of race, color, or national origin. As a recipient of FTA funds, Chester County Department of Human Services is pledged to take reasonable steps to provide meaningful access to its transportation services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.

Article II. General Policy

Chester County and the Department of Human Services (DHS) recognizes that the residents eligible for services includes those who are Limited English Proficient (LEP), and it is the policy of DHS to ensure access to LEP individuals to obtain services and communicate effectively.

DHS, rather than the LEP individual, bears the responsibility for providing language appropriate services. Staff has the specific duty to identify and record language needs, and no staff may suggest or require that an LEP consumer provide an interpreter in order to receive services. Minor children are excluded from acting as interpreters, and use of informal interpreters such as family, friends of the person seeking services, or other consumers must be discouraged.

Article III. Limited English Proficient Criteria

It is DHS policy to grant services and programs to every person regardless of whether that person has a limited ability to speak, understand, read, or write English. In developing this language assistance plan for LEP persons, DHS has utilized the Four Factor Analysis:

- The number or proportion of LEP persons in the service area
- The frequency with which LEP persons access services
- The nature and importance of the programs, activities and services provided
- The resources available to Department of Human Services (DHS) and the cost to provide language services

An LEP person is one whose proficiency in speaking, reading, writing, or understanding English is such that it would deny or limit meaningful access to programs and services provided by DHS if language assistance were not provided. This Analysis determines what steps are needed to ensure access to the planning processes, services, and written materials provided through various federally funded programs.
Article IV. Definitions

Limited English Proficiency—Individuals that do not speak English as their primary language and who have limited ability to read, speak, write, or understand English may have Limited English Proficiency, or "LEP". These individuals may be entitled to language assistance with respect to certain types of services, benefits, or encounters.

Language Access Plan—Guiding document that ensures access to programs is provided to individuals that may have Limited English Proficiency and that the resources to do so are available.

Four-Factor Analysis—A component of a Language Access Plan. The Analysis sets forth the steps an organization should take to determine how to provide meaningful access for Limited English Proficient individuals so that their federally funded programs meet the requirements of the law.

Translation—Services are a more deliberate process, where written text is translated from the source language, in this case English, to other languages.

Interpretation—Language interpretation services provided real time, oral interpretation from one language to another. This is done with an interpreter orally translating a conversation or meeting live, and in-person.

Article V. Four Factor Analysis

1. Number of LEP Persons Served

The American Community Survey (ACS) defines LEP persons as those living in the United States, regardless of whether they are a citizen, who speak a language other than English in their homes and if they speak English "very well" or "less than very well". Those individuals that speak English "less than very well" are classified as LEP persons. Persons who do not speak, read, write or understand English as their primary language may be entitled to language assistance through other means such as interpretation or translation so that they may receive access to services and programs.

According to 2020 ACS estimates, Chester County has a population of 493,119 people ages five (5) years and over, of which 61,008 (12.4%) speak a language other than English at home. There are three language groups that the ACS has identified in Chester County: Spanish, Indo-European, and Asian and Pacific Islander.

Spanish is the second most commonly spoken language in Chester County with 10,119 (2.05%) of the residents speaking English "less than very well." There are 942 (0.20%) Asian and Pacific Islander residents that speak English "less than
very well," while 2,827 (0.57%) Indo-European individuals that speak English "less than very well."

2. **LEP Persons' Frequency of Contact**

DHS has reviewed the frequency with which staff and providers have, or could have, contact with LEP persons. This includes documenting phone inquiries, office visits, public meetings, and other interactions.

DHS has several points of contact with residents who inquire about services and assistance:

- **Office walk-ins** - Members of the public will, on rare occasions, walk into DHS during business hours to inquire information about services. Bilingual Spanish staff is available to interpret; in cases where the bilingual speaking staff is unavailable, or a different language is spoken, "I speak" language cards are available at the front desk.

- **Phone calls** - DHS receives frequent calls during business hours to inquire information about services. If a caller with LEP requires assistance, the call will be transferred to bilingual staff or use telephonic interpretation.

- **Public meetings** - DHS conducts public meetings during which Chester County citizens are invited to attend to learn more about and comment upon agency initiatives. DHS will provide interpretation upon request, to the best of its ability.

3. **Nature and Importance of the Program, Activity, or Service**

DHS considers transportation to be an important and essential service for many people living in the county. DHS does not track LEP passengers separately but knows that public transportation is an important need specially to assist low- and moderate-income individuals and households, including LEP persons. Therefore, DHS seeks to communicate effectively with all persons making inquiries regarding available assistance.

4. **Resources available**

DHS has the following resources available to them enabling the organization to reach out to LEP persons in Chester County at a low/reasonable cost.
Chester County Community Resource Guide and Google Translate on OHS websites-The County of Chester's website features the Chester County Community Resource Guide in both English and Spanish as well Google Translate on its page so that visitors can view the content posted on the OHS page (www.chesco.org/ccdhs) in their language of choice.

ReferWeb-Chester County’s ReferWeb Resource Directory (www.referweb.net/chesco) includes a variety of health and human services resources, including information on housing and shelter services. This site also features Spanish translation via Google Translate.

Interpreter Services-OHS states in public meeting announcements that interpretive services are available upon request. It also employs two bilingual staff that may be available to assist LEP consumers that speak Spanish.

The County of Chester has a contractual relationship with Propio Language Services, which offers translation services over the telephone, video voice-overs and document translation. This service supports over 200 languages and has telephone interpreters available 24 hours a day, every day of the year; DHS can utilize this service to call and access an interpreter when the need arises at no cost to consumers.

I Speak Cards-DHS may need to assist individuals requesting information but that are unable to communicate in English. Such LEP consumers will be asked if they need assistance by using language identification cards to identify their language.

Staff Training: DHS will provide training on LEP awareness and required assistance actions under the Language Assistance Plan for employees. This includes:

- Background of the LEP
- Chester County Department of Human Services obligation to provide meaningful access to individuals with LEP
- Review of procedures related to the LAP
- Ongoing updates related to LEP analysis
Monitoring and Updating the Plan—Every three years, the LAP will be reviewed and updated. The review will assess:

- Tracking the different types of language assistance provided and different types of requests DHS receives

- Review of Chester County demographics to ensure language assistance needs are met

- Review of any issues or problems related to serving LEP persons which may have emerged during the past five years

- Ensure compatibility with citizen participation plan and affirmative marketing plan

- Identification of any recommended actions to provide more responsive and effective language services