

Adopted on: 2/11/2022

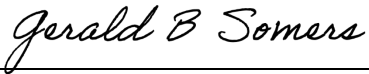
Adopted by: Via of the Lehigh Valley, Inc.

Revised on: 2/10/2023

Title VI

Compliance Plan



TITLE VI COMPLIANCE PLAN	
Approval: <hr/> Lisa Walkiewicz, President/Chief Executive Officer <div style="text-align: center;">  <hr/> Jerry Somers, Board of Directors Chair </div>	Policy Number: CP-01 <hr/> Date First Issued: 2/11/2022 <hr/> Effective Date: 2/11/2022 <hr/> Revision Date: 2/10/2023

POLICY STATEMENT

Via of the Lehigh Valley, Inc. (“Via”) 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 United States Department of Transportation regulations.

Title VI Plan Elements

Via’s Title VI plan includes the following elements:

1. Evidence of Policy Approval
2. Notice to the Public
3. Complaint Procedure
4. Complaint Form
5. List of Transit-related Title VI Investigations, Complaints and Lawsuits
6. Public Participation Plan
7. Language Assistance Plan

Note: Additional materials will be attached, if required.

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

Every three (3) years, Via will revise the Title VI plan, have the plan approved by the governing body, and submit the updated approved Title VI Plan to PennDOT.

POLICY UPDATES – ACTIVITY LOG

Date	Activity <small>(Review/Update/Addendum/Adoption/Distribution)</small>	Person Responsible	Remarks
8/02/2022	Review of Public Participation Plan and LEP Log Encounters	Denise Pioli	
10/20/2022	Reviewed and updated PR-02 Communications with Persons with LEP Policy and Procedure	Denise Pioli	No major procedural changes
10/20/2022	Reviewed and updated Requesting Translation Services Process	Denise Pioli	No major process changes

TITLE VI NOTICE TO THE PUBLIC

Via's Notice to the Public is as follows:

Notifying the Public of Rights Under Title IV

Via of the Lehigh Valley, Inc.

Via of the Lehigh Valley, Inc. ("Via") 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 Via.

For more information on the Via's civil rights program, and the procedures to file a complaint, contact the Vice President of Services at 610-317-8000; or email D.Pioli@ViaNet.org; or visit our administrative office at 336 West Spruce Street in Bethlehem, PA 18018. For more information, visit ViaNet.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 Avenue

SE Washington, DC 20590

If information is needed in another language, contact 610-317-8000.

Sise necesita informacion en otro idioma de contacto, 610-317-8000.

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

- Agency website (ViaNet.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

Via'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: _____

According to Title VI regulation § 42.107(b), any person who believes she or he has been discriminated against on the basis of race, color, or national origin by Via may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.

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

Once the complaint is received, Via 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.

Via has **30** days to investigate the complaint. If more information is needed to resolve the case, Via may contact the complainant.

The complainant has **ten (10)** business days from the date of the letter to send the 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 **ten (10)** business days, Via 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 (1) 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 LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the employee, or other action will occur.

If the complainant wishes to appeal the decision, she/he has **ten (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 in Washington, DC 20590.

If information is needed in another language, then contact 610-317-8000.
Sise necesita informacion en otro idioma de contacto, 610-317-8000.

TITLE VI: DISCRIMINATION COMPLAINT FORM

SECTION I

Name: _____ Date: _____

Address: _____

Phone: _____ Email: _____

Accessibly 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, supply the name and relationship of the person for whom you are complaining:

Explain why you have filed for a third party:

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

Yes No

SECTION III

I believe the discrimination I experienced was based on (check all that apply):

Race Color National Origin

Date of Alleged Discrimination: _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all the people 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, 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: _____

Provide information about a contact person at the agency/court where the complaint was filed:

Name: _____ Title: _____
Agency: _____ Phone: _____

SECTION VI

Name of agency complaint is against: _____

Contact person: _____

Title: _____ Phone: _____

EMAIL OR MAIL THIS COMPLETED FORM TO THE VICE PRESIDENT OF SERVICES.

Email: D.Pioli@ViaNet.org

Mail: Denise Pioli, Vice President of Services
Via of the Lehigh Valley, Inc.
336. W. Spruce Street
Bethlehem, PA 18018

LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Via maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities. This list is updated and included in the Title VI Program submitted to PennDOT every three (3) years.

Check One:

- There have been no investigations, complaints and/or lawsuits filed against us during the report period.
- There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

Type*	Date Filed	Summary of Allegation(s) (Include basis of complaint)	Status	Action(s) Taken

**Type: Investigation, complaint, or lawsuit*

PUBLIC PARTICIPATION PLAN

Strategies and Desired Outcomes

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

- Emphasize the use of alternatively formatted materials for people with disabilities.
- Translate documents to reach LEP persons.
- Use social media in addition to other resources as a way to gain public involvement.
- Communicate with Supports Coordination agencies, the counties, the Office of Developmental Programs and other organizations to promote inclusive public participation.

Outreach Activities

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

Outreach and involvement activities conducted by Via are summarized in the table below.

Date	Event	Communication Method	LEP Population Focus Group	Notes
Apr 2021	Translated documents	In-person and digital	Spanish	Professionally translated Admissions documents into Spanish to facilitate the intake process
Jan 2022	NAACP Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes to the Allentown, Bethlehem and Easton Chapters
Jan 2022	Hispanic Center Lehigh Valley Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes
Jan 2022	Latino Leadership Alliance Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes to Lehigh Valley Chapter
Feb 2022	Surveyed employees	Digital	All	Conducted internal survey to identify languages spoken by Via employees and level of proficiency
Feb 2022	Updated Participant Handbook	Printed and digital	All	Updated Participant Handbook to include information on LEP and available assistance for participants and families/caregivers
Feb 2022	Updated Employee Handbook	Printed and digital	All	Updated Employee Handbook to include information on LEP and available assistance for participants and families/caregivers

Outreach Activities (continued)

Date	Event	Communication Method	LEP Population Focus Group	Notes
Nov 2022	Updated website	Digital	All	The agency website can be translated into multiple languages by using a navigation bar
Jan 2023	NAACP Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes to the Allentown, Bethlehem and Easton Chapters
Jan 2023	Hispanic Center Lehigh Valley Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes
Jan 2023	Latino Leadership Alliance Outreach	Digital	All	Emailed a letter of outreach for recruitment purposes to Lehigh Valley Chapter
Jan 2023	Black Heritage Association	Digital	All	Emailed a letter of outreach for recruitment purposes

LANGUAGE ASSISTANCE PLAN

Plan Components

As a recipient of federal United States Department of Transportation funding, Via is required to take reasonable steps to ensure meaningful access to our programs, services and activities by limited-English proficient (LEP) persons.

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 United States Census that they speak English less than very well, not well, or not at all.

The Via 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, Via has conducted a Four Factor Analysis of the following areas: Demography, frequency, importance, and 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 Via to review [US Census data](#) to determine if it meets the LEP *Safe Harbor Threshold*.

Via completed the following:

- Inserted a copy of Via's LEP data in the Title VI plan. This data was found at the [PennDOT website](#).
- Analyzed the [LEP demographic data](#) for the Via program and/or service area (Lehigh County) by calculating the *Safe Harbor Threshold* for two (2) to three (3) of the [largest language groups identified](#) (Spanish, other Indo-European languages and Asian and Pacific Island languages) other than English, including:
 - [Limited English-speaking households](#)
 - [Household language by household limited English speaking status](#)
 - [Language spoken at home](#)
 - [People That Speak English Less Than "Very Well" Visualization](#)
 - The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that ["Speaks English less than very well"](#) by the total population of the county.
 - The LEP *Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less of the population to be served) Via must provide translation of vital documents in written format for the non-English users.
 - 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 employees (and transit provider/lessee, if applicable) come 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 does not mean they do not speak English or are identified as LEP.
- The summary below discusses the frequency with which Via employees, and/or a contractor/lessee come into contact with LEP persons. It also provides information on how employees are instructed to meet the needs of LEP persons. Via employees 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 Via's services impact the lives of individuals within the community. Via 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 Via uses to provide outreach to LEP persons as well as train employees (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), Via 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 service.
- Item #4: A description of how the language assistance plan is monitored and updated.
- Item #5: A description of how employees are trained to provide language assistance to LEP persons.
- *And any additional information deemed necessary.*

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

Via provides programs and services for children and adults with disabilities in Lehigh, Northampton, Monroe, Carbon, Berks, Bucks and Montgomery counties in Pennsylvania. Via participants are enrolled in Behavior Support, Early Intervention, Employment, School-to-Work Transition, Community Mentoring, Adult and Autism Services.

The US Census Bureau (2020) reports there are numerous languages spoken in Lehigh County. Some of these languages include Spanish, German, Russian, Arabic and Chinese. After English, the second largest language group is Spanish. Other Indo-European and Asian and Pacific Island languages follow behind to represent over 5%.

The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that "speaks English less than very well" by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), Via must provide translation of vital documents in written format for non-English speaking persons. Via is not required to provide this material, at this time, as current participants understand and speak English if they are also affluent in another language.

Four (4) participants receiving services from Via have a home language of Spanish. Three (3) of them speak English well and one (1) has good comprehension in English but is non-verbal. Via has employees that are fluent in Spanish and Syrian. Others will be identified through the Internal Employee Survey distributed in February 2022.

In Lehigh County, there is a population estimated to be 65,765 persons who identified as Spanish speaking. This language group is 18% of the total population of Lehigh County, exceeding the 5% threshold of the population to be served. Currently, at Via, no participants have identified as Spanish speaking and "Speaks English less than well". Since this accounts for less than 1% of Via's census, Via is not required to provide written translation of vital documents for this group. However, Via has provided/available a Spanish version of the following documents: Via Application for Services, Via Participant Handbook, Your Civil, Legal and Human Rights document, Civil Rights Acknowledgement Form, General Release Form, Health Information Portability and Accountability Act (HIPAA) Notice Acknowledgement Form, Participant Photo Video Release Form and Personal Health Information Communication Listing for Spanish-speaking individuals. Translation of vital documents is provided on an as-needed basis.

Factor 2 – Frequency

Via and its drivers/employees, if applicable will be trained on what to do when they encounter a person that speaks English less than well.

Via, with the assistance of employees, will track the number of encounters and consider adjusting outreach efforts as needed in order to ensure meaningful access to all persons, and specifically to LEP and minority populations of Via's programs and services.

LOG OF LEP ENCOUNTERS

Date	LEP Individual's Name	Language(s) Spoken	Contact Information	Assisting Employee	Description of Encounter/ Service(s) Requested
3/06/2021	Mark Perez	Spanish	(774) 289-9801	Kim Tracy and Sean Hartman	Small Group Employment intake (individual not admitted for service)
7/22/2021	Jorge Fausto	Spanish		Alivia Sinko	Community Based Work Assessment referral (individual not admitted for service)

Via provides services to approximately 600 persons per year.

The "I Speak" Language identification card pictured below is a document that is part of the intake process and featured in the Via Participant and Employee Handbooks. This card will be utilized as needed by employees to assist LEP individuals. Additional languages can be added to match the demographic changes of Via's service area. If applicable, this card will be kept in the individual's record as a record of Language Identification.

I SPEAK ...



ARABIC <small>أنا أتحدث اللغة العربية</small>	FRENCH <small>Je parle français</small>	LAOTIAN <small>ຂ້ອຍປາກວາສາລາວ</small>	SPANISH <small>Yo hablo español</small>
ARMENIAN <small>Ես խոսում եմ հայկերեն</small>	FRENCH CREOLE (HAIITIAN CREOLE) <small>M pale kreyòl ayisyen</small>	LITHUANIAN <small>Aš kalbu lietuviškai</small>	SWAHILI <small>Ninaongea Kiswahili</small>
BENGLI <small>আমি বাংলা কথা বলতে পারি</small>	GERMAN <small>Ich spreche Deutsch</small>	MANDARIN (CHINESE) <small>我讲国语/普通话</small>	SWEDISH <small>Jag talar svenska</small>
BOSNIAN <small>Ja govorim bosanski</small>	GREEK <small>Μιλώ τα ελληνικά</small>	NORWEGIAN <small>Jeg snakker norsk</small>	TAGALOG <small>Marunong akong mag-Tagalog</small>
BULGARIAN <small>Аз говоря български</small>	GUJARATI <small>હું ગુજરાતી બોલું છું</small>	POLISH <small>Mówię po polsku</small>	THAI <small>พูดภาษาไทย</small>
BURMESE <small>ကျွန်ုပ်တို့/ကျွန်းုပ်တို့ မြန်မာစကား ခြေကတော် မိသားစု</small>	HEBREW <small>אני מדבר עברית</small>	PORTUGUESE <small>Eu falo português do Brasil (Brasil)</small>	TURKISH <small>Türkçe konuşurum</small>
CAMBODIAN <small>ខ្ញុំនិយាយភាសាខ្មែរ</small>	HINDI <small>मैं हिंदी बोलता हूँ ।</small>	PORTUGUESE <small>Eu falo português de Portugal (Portugal)</small>	UKRAINIAN <small>Я розмовляю українською мовою</small>
CANTONESE (CHINESE) <small>我講廣東話 我讲广东话</small>	HMONG <small>Kuv has lug Moob</small>	PUNJABI <small>ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।</small>	URDU <small>میں اردو بولتا ہوں</small>
CROATIAN <small>Govorim hrvatski</small>	HUNGARIAN <small>Beszélek magyarul</small>	ROMANIAN <small>Vorbesc românește</small>	VIETNAMESE <small>Tôi nói tiếng Việt</small>
CZECH <small>Mluvím česky</small>	ITALIAN <small>Parlo italiano</small>	RUSSIAN <small>Я говорю по-русски</small>	YORUBA <small>Mo nso Yooba</small>
DUTCH <small>Ik spreek het Nederlands</small>	JAPANESE <small>私は日本語を話す</small>	SERBIAN <small>Ja govorim српски</small>	<i>*Employees should use this tool to guide persons in identifying their spoken language when they do not speak English at all.</i>
FARSI (PERSIAN) <small>من فارسی صحبت می کنم</small>	KOREAN <small>한국어 합니다</small>	SLOVAK <small>Hovorím po slovensky</small>	

Factor 3 - Importance

Via employees understand that a LEP person with language barrier challenges also faces difficulties obtaining health care, education, access to employment and nutrition meal sites, recreational services and socialization. Assisting in providing Behavior Support, Early Intervention, Employment, School-to-Work Transition, Community Mentoring, Adult and Autism Services within the community is a key link to connecting LEP persons to these essential services.

Via 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 service locations and vehicles and providing information on security awareness or emergency preparedness.

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

Training of Via employees as to Title VI and LEP requirements is conducted internally. At this point, no additional training costs are incurred with the exception of printing/photocopying materials. Via can address this training at a yearly in-service or annual training.

Item #2 – Description of How Language Assistance Services are Provided, by Language

Via will use the supports provided by Lehigh County, funders and/or contracted interpreters/translation companies, as needed to reach LEP persons in the service area and to assist with the needs of those individuals.

If an employee encounters or has reason to believe that a potential enrollment, participant or family/caregiver is LEP, he/she will contact the assigned Program Specialist/Coordinator, who will promptly identify the language and communication needs of the LEP person.

- The Program Specialist/Coordinator will notify the Supports Coordinator if the Individual Plan/Individual Support Plan should be updated. The participant's communication assessment report and/or the Communication section of their Individual Plan should indicate what kind of assistance is needed.
- The Program Specialist/Coordinator is responsible for identifying if interpreter, translation or other aids are needed.

Item #3 – Description of How LEP Persons are Informed of the Availability of Language Assistance Service

Via 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.
- Prioritize the hiring of bilingual employees, when appropriate or as needed.
- Utilize the [Telecommunications Relay Service](#) to assist with communication needs.

Via does outreach through Supports Coordination agencies who provide case management support for Via's participants.

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

Via reviews its plan on an annual basis or more frequently as needed. In particular, Via will evaluate the information collected on encounters with LEP persons, as well as communication efforts to determine if adjustments should be made to the delivering of programs and services to ensure meaningful access to minority and LEP persons.

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

Via employees are oriented on the principles of Title VI and Programs Employing People Language Assistance Plan. New employees will be provided with guidance on the needs of participants served and how best to meet their needs.

As previously mentioned, if an employee encounters or has reason to believe that a potential enrollment, participant or family/caregiver is LEP, he/she will contact the assigned Program Specialist/Coordinator, who will promptly identify the language and communication needs of the LEP person.

- The Program Specialist/Coordinator will notify the Supports Coordinator if the Individual Plan/Individual Support Plan should be updated. The participant’s communication assessment report and/or the Communication section of their Individual Plan should indicate what kind of assistance is needed.
- The Program Specialist/Coordinator is responsible for identifying if interpreter, translation or other aids are needed.

If a driver or employee needs further assistance related to LEP individuals, her/she will work with Via Program Managers/Directors to identify strategies to meet the language needs of the participants of the program or service.

Factor 4 - Resources and Costs

Even though Via does not have a separate budget for LEP outreach, the agency has planned to implement low-cost methods of reaching LEP persons. Via will take reasonable steps to provide language assistance services upon request by a LEP person who wishes to access Via programs or activities or to whom Via employees wish to communicate.

Participants and their families/caregivers will be informed of the availability of such assistance free of charge. All interpreters, translators and other aids needed are provided without cost to the participant.