

SOUTHEASTERN UTAH ASSOCIATION OF LOCAL GOVERNMENTS (SEUALG)



ADDENDUM B—Title VI Plan

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Southeastern Utah Association of Local Governments Title VI Compliance Policy Statement

Southeastern Utah Association of Local Governments, in its administration of government functions, shall actively ensure nondiscrimination under Title VI of the Civil Rights Act of 1964. Title VI states “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Additionally, assurances within Title VI also include gender and physical handicap in the characteristics protected against discrimination. The responsibility to ensure compliance shall be vested with the Board of Directors, Executive Director, Programs Managers, and all employees of SEUALG. The Program Managers with support of the Executive Director is the ADA/Title VI Coordinator for their federal funded program and will be responsible in monitoring and initiating actions to ensure compliance with these Federal regulations.

Executive Order 12898, issued in 1994, further amplifies Title VI requiring “Environmental Justice” as a part of its mission “by identifying and addressing, as appropriate, disproportionately high or adverse human health and environmental effects of its programs, policies, and activities on minority population and low-income populations.”

SEUALG ADA Title VI Coordinator, through the Board of Directors, shall comply with the tasks, reports, and related tasks identified in the Equal Access Policy Plans (EAPP). Each Program Manager, if contacted by the Title VI Coordinator, shall cooperate and assist with efforts identified by the Coordinator in addition to establishing new procedures or processes consistent with the requirements identified in the EAPP.

Deborah L. Hatt, Executive Director, is the designated Title VI Coordinator and is vested with responsibility and authority for the implementation and enforcement of this policy with Program Managers sharing this charge.

Lynn Jackson, Chairman of SEUALG Board of Directors

Date

Table of Contents

Title VI Compliance Policy Statement	B-1
Introduction	B-3
Affirmation and Adoption of Title VI Requirements	B-4
Compliance and Monitoring	B-5
Designated Title VI Contacts	B-5
Procedure for Investigation, Complaints and Lawsuits	B-5
On-Site Reviews	B-5
Trainings.....	B-5
Title VI Complaint Process	B-6
Complaint Procedure and Guidelines	B-6
Title VI Informal Complaint Policy.....	B-8
Title VI Record Complaints	B-8
Title VI Notice to Beneficiaries	B-8
Title VI Notification Statement	B-8
SEUALG Website Notice to Public.....	B-9
Record of Minority Representation on Committees/Councils Selected by the Recipient.....	B-10
Table B-1 Example of Depicting Membership of Committees, Councils, Broken Down by Race	B-10
Poster Requirements	B-10
Public Participation Plan	B-10
Limited English Proficiency (LEP)	B-11
Four-Factor Analysis Information	B-11
After a Four-Factor Analysis.....	B-11
Language Access Plan (LAP)	B-12

Introduction

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and sub recipients of Federal Programs funds must ensure that programs, policies and activities comply with Title VI regulations.

To meet Title VI requirements:

- 1. Adoption of Policy and Affirming Intention to Meet All Title VI Requirements**
- 2. Compliance, Monitoring, Review and Training**
 - a. Designated Title VI Contacts
 - b. Procedure for Investigation, Complaints and Lawsuits
 - c. On site reviews
 - d. Trainings
- 3. Title VI Complaint Procedure and Investigation Guidelines**
 - a. Complaint Procedures
 - b. Title VI Informal Complaint Policy
 - c. Title VI Record Log of Complaints, Lawsuits, etc.
- 4. Notice to Beneficiaries**
 - a. Title VI Notification Statement
 - b. SEUALG Website Notice to Public
 - c. Record of Minority Representation on Committees/Councils Selected by the Recipient
- 5. Poster Requirements**
- 6. Public Participation Plan**
- 7. Limited English Proficiency (LEP)**
 - a. Four-Factor Analysis
 - b. After a Four-Factor Analysis
 - c. Language Access Plan (LAP)

1. Southeastern Utah Association of Local Governments Affirmation and Adoption of Title VI Requirements

- a. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms “programs or activities” to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
- b. Southeastern Utah Association of Local Governments is a non-profit entity. It is the policy of Southeastern Utah Association of Local Governments to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.
- c. Southeastern Utah Association of Local Governments Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.
- d. Southeastern Utah Association of Local Governments will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of this Agency.
- e. The Agency recognizes the need for annual Title VI training for Agency personnel.

Lynn Jackson, Chairman of SEUALG Board of Directors

Date

2. Compliance and Monitoring

a. Designated Title VI Contacts

SEUALG Executive Director and the respective Program Manager are the designated contacts for SEUALG Title VI Coordinator. Refer to Addendum D for a complete contact list. The list provides a contact name for each respective program and service.

b. Procedure for Investigations, Complaints and Lawsuits

The SEUALG Executive Director and/or respective Program Manager will maintain a list of any active investigations conducted, lawsuits, or complaints naming the recipient and/or sub-recipients that allege discrimination on the basis of race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or sub-recipient in response to the investigation. Refer to Addendum B3—Title VI Forms to utilize the SEUALG Complaint Log for such record keeping. Each program manager will keep a readily reviewable file if such records are needed.

c. On-Site Reviews

During review periods, a Title VI coordinator shall look for the following features:

- Title VI poster clearly displayed in SEUALG’s public informational spaces, FTA – contracted vehicles, and/or other applicable places. The poster must have the following information on it: Description of Title VI, Explanation of how to obtain Title VI information, and an Explanation of how to file a complaint.
- Available complaint forms.
- A current file containing complaints.

d. Trainings

All Southeastern Utah Association of Local Governments staff and volunteers will be trained either annually or as newly hired staff/volunteers on Title VI. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation. Initial and ongoing trainings should include the information on SEUALG’s Equal Access Policy Plan:

- Awareness of the EAPP and its Addendums
- Description of SEUALG Title VI and ADA compliance commitment.
- How to file a complaint and how to access EAPP information electronically from SEUALG’s web site (<http://www.seualg.utah.gov/>).
- Documentation requirements and use of forms and posters.

- Confidentially of information.

- Provide information regarding outreach opportunities to minority populations and demographic information. (Awareness of the Four-Factor Analysis)
- Discusses LEP and review the tool to complete a Four Factor Analysis.
- Discusses and provide Title VI complaint forms.
- Discusses annual review and updates to Title VI policy plan and have ready for reviewing.
- Discusses the any required Title VI updates and a description of lawsuits and complaints for the past year.

The Executive Director and Program Managers are available as a technical resource for questions or concerns regarding Title VI and its requirements.

3. Title VI Complaint Process

Southeastern Utah Association of Local Governments (SEUALG) has developed procedures for investigating and tracking Title VI complaints filed against them and has made those procedures for filing a complaint available to the public. SEUALG complaint procedure is outlined below:

a. Complaint Procedure and Guidelines

- Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by SEUALG may file a Title VI complaint by completing and submitting the SEUALG Title VI Complaint Form, found in Addendum B3— SEUALG Title VI Forms.
- SEUALG investigates complaints received no more than 180 calendar days after the alleged incident; unless filing time is extended by respective federal authority.

SEUALG will process complaints that have completed all elements of the complaint form.

- Completed and Signed complaint forms should be submitted to:

Deborah Hatt, Executive Director OR respective Program Manager

375 South Carbon Ave. P.O. Box 1106, Price, Utah 84501

Telephone: 435-637-5444 Fax: 435-637-5448

Web site: <http://seualg.utah.gov>

Deaf, Hard of hearing, Deaf/Blind, or Speech Impaired (English or Spanish), Please contact SEUALG by calling toll-free to the Utah Relay -711 or Spanish Relay Utah at 888-346-3162.

Once a completed complaint is received, SEUALG will review it to determine if SEUALG has jurisdiction. The complainant will receive an acknowledgment letter within 10 business days informing her/him whether the complaint will be investigated by SEUALG.

- The Southeastern Utah Association of Local Governments has 10 business days to investigate the complaint. If more information is needed to resolve the case, SEUALG may contact the complainant in writing for additional information. The complainant has 10 days from the date of that letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 calendar days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.
- Upon investigation (no more than 45 business days) and after the investigator reviews the complaint, SEUALG will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.

OR

2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident, and explains if any disciplinary action, additional training of the staff member or other action will occur.

- If the complainant wishes to appeal the decision, he/she has 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been

submitted, SEUALG will forward appeals to the appropriate federally funded program Civil Rights Title VI Coordinator within 10 days or the complainant may submit her complaint to the appropriate state or federal department.

- When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by the appropriate federally funded program to resolve the complaint.

b. Title VI Informal Complaint Policy

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by SEUALG identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log (example is found in Addendum B3, SEUALG Title VI Forms). If the complaint cannot be resolved informally, SEUALG identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

c. Title VI Record of Complaints

SEUALG will prepare and maintain a list of any alleged discrimination complaints or lawsuits on the basis of race, color, or national origin, including any active investigations, lawsuits, and complaints naming SEUALG. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved. See Addendum B3, SEUALG Title VI Forms for sample complaint log. SEUALG has had no Title VI complaints since the inception of the Title VI plan.

4. Title VI Notice to Beneficiaries

Southeastern Utah Association of Local Governments (SEUALG) will provide information to the public regarding SEUALG's obligations under federally assisted programs according to their Title VI regulations. SEUALG will place notify the public of the protection against discrimination afforded to them by Title VI. At a minimum, SEUALG shall disseminate this information to the public by posting the notice on its website and in SEUALG media material. SEUALG will document where and when this information is posted.

a. Title VI Notification Statement

All newly printed or revised agency publications, brochures and pamphlets meant for public shall include the Civil Rights Statement for ADA and Title VI requirements is stated below:

“Southeastern Utah Association of Local Governments does not discriminate on the basis of, in treatment of, or in any aspect of race, color, religion, gender, national origin, age, disability, political affiliation or belief in its programs or activities. SEUALG does not discriminate on the basis of admission to, access to or operations of programs, service, or activities to include in its hiring or employment practices.”

The following person has been designated to handle inquiries regarding the non-discrimination policies:

*Deborah Hatt, Executive Director,
OR Program Manager of said program service/activity
375 South Carbon Ave. P.O. Box 1106, Price, Utah 84501
435-637-5444*

b. SEUALG Website Notice to Public

Upon completing SEUALG’s new website, the following statement will be made available along with this plan and its addendums.

“Southeastern Utah Association of Local Governments operates its programs and services without favor to race, color, national origin, religion, sex, age, disability, political affiliation or belief in its programs or activities. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI and/or ADA/504 regulations may file a complaint with the main office of Southeastern Utah Association of Local Governments or respective SEUALG individual.”

For more information on the Southeastern Utah Association of Local Governments civil rights program and the procedures to file a complaint, see the Equal Access Policy Plan on this web site <http://www.seualg.utah.gov> or contact our main office at 375 South Carbon Ave, Price, Utah 84501 or phone 435-637-5444.

Complaints must be in writing and directed to:

*Deborah Hatt, Executive Director,
OR Program Manager of said program service/activity
375 South Carbon Ave. P.O. Box 1106, Price, Utah 84501*

c. Record of Minority Representation on Committees/Councils Selected by the Recipient

When recipients that have, non-elected planning boards, any transit-related advisory councils or committees, or similar bodies—the membership of which is selected by the recipient—a record of the representation must be depicted in a table with the membership of those committees broken down by race. Further, a description of efforts made to encourage the participation of minorities on such committees must be included.

Refer to Addendum D, SEUALG Programs and Contacts Listing, for a complete listing of such representation. Below is an example of information that is required.

Table B-1 Example Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
<i>No Name Population</i>	46%	28%	14%	8%	4%
<i>Access Committee</i>	60%	23%	10%	7%	0%
<i>Citizens Advisory Council</i>	40%	25%	20%	10%	5%
<i>Bicycle Pedestrian Committee</i>	45%	30%	15%	5%	5%

5. Poster Requirements

Southeastern Utah Association of Local Governments (SEUALG) will provide a poster, see Addendum B3—SEUALG Title VI Forms, to meet the requirements listed below and will provide updates as required. SEUALG will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. SEUALG’s poster will be translated into other languages as necessary according to the Language Access Plan (LAP) requirements. Posters will include the following information:

- Description of SEUALG Equal Access Policy on Title VI commitment.
- Information on how SEUALG’s Title VI procedures to file a complaint, contact information, email, and address and web site: <http://www.seualg.utah.gov>.

6. Public Participation Plan

Southeastern Utah Association of Local Governments (SEUALG) will identify targeted minorities within the service area. Through the use of census data at the City or municipality level where

the demographic information provides “Language Spoken at Home” where the percentage of individuals “Speak English less than “very well” ” is identify as what minority populations exist within SEUALG service area. As SEUALG’s program activities occur, each will begin to identify the appropriate locations to disseminate information and identified populations (e.g., church, neighborhood gathering space) in order to seek comment, interest in new service or service revisions and/or extensions of services.

SEUALG recognizes that future federally funded programs and services require documentation of the above efforts. SEUALG will document and maintain on file all activities related to Title VI outreach. Each program manager will ensure outreach efforts are recorded and will maintain a readily file for each of their programs. See Addendum B3 for an example form.

7. Limited English Proficiency (LEP)

a. Four-Factor Analysis Information

Southeastern Utah Association of Local Governments (SEUALG) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four-Factor Analysis, SEUALG assures that no person shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any federally assisted service, program or activity operated through SEUALG.

Refer to Addendum B1 Limited English Proficiency (LEP) Plan, includes the SEUALG Four-Factor Analysis and Language Access Plan.

b. After a Four-Factor Analysis

Following the completion of the Four-Factor Analysis, SEUALG created the Language Assistance Plan (LAP) where the plan will fully enable persons with Limited English Proficiency (LEP) to have equal access. The LEP Plan also provides SEUALG employees a better understanding to coordinate efforts to ensure SEUALG federally funded services are accessible to all.

The Four-Factor Analysis includes the following:

- Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).
- The frequency with which the LEP persons come into contact with the program.

- The nature and importance of the program, activity, or service provided by the program.
- The resources available and costs to the recipient.

c. Language Access Plan (LAP)

As a result of the Four-Factor Analysis, a LAP and Limited English Proficiency (LEP) Plan was created based upon the language identified in the SEUALG district as being Spanish. Refer to Addendum B1, Limited English Proficiency Plan for a thorough explanation and process.