


## ***Title VI Plan Tipton County Council on Aging, Inc.***

*This policy is hereby adopted and signed by:*  
**Tipton County Council on Aging, Inc.**

Adoption Date: 02/14/2022

Chairperson Name/Title: Susan McKinney, President TCCA Board of Directors

Chairperson Signature:

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### **Policy Statement**

The **Tipton County Council on Aging, Inc.** as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Indiana Department of Transportation (INDOT) 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 Tipton County Council on Aging, Inc.** 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
8. Minority Representation Table

## TITLE VI Notice to the Public

The **Tipton County Council on Aging, Inc.** Notice to the Public is as follows:

### Notifying the Public of Rights Under Title VI

#### **Tipton County Council on Aging, Inc.**

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. The Tipton County Council on Aging, Inc. operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory due to your race, color, or national origin may file a complaint with the Tipton County Council on Aging, Inc.
- ✓ For more information on the Tipton County Council on Aging, Inc. civil rights program, and the procedures to file a complaint, contact (765) 675-4746; email [director@encorecenter.org](mailto:director@encorecenter.org); or visit our administrative office at 900 E Jefferson St, Suite A, Tipton, Indiana 46072. For more information, visit [www.encorecenter.org](http://www.encorecenter.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 (765) 675-4746. Si se necesita informacion en otro idioma de contacto, (765) 675-4746

The Tipton County Council on Aging, Inc. Notice to the Public is posted in the following locations:

- ✓ Agency website
- ✓ Public areas of the agency office (common area, public meeting rooms, etc)
- ✓ Inside vehicles
- ✓ Rider Guides/Schedules

## **Title VI/ADA Complaint Procedure Tipton County Council on Aging, Inc.**

Title VI of the Civil Rights Act of 1964 provides that any person who believes he or she has been discriminated against on the basis of race, color or national origin by the Tipton County Council on Aging, Inc. may file a formal complaint.

Similarly, The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity and access for persons with disabilities. Any person who believes he or she has been discriminated against based on disability may also file a formal complaint with Tipton County Council on Aging, Inc..

Any person who believes she or he has been discriminated against on the basis of race, color, national origin, or disability by the Tipton County Council on Aging, Inc. may file a Title VI/ADA complaint by completing and submitting the agency's Title VI/ADA Complaint Form. The Tipton County Council on Aging, Inc. investigates complaints received no more than 180 days after the alleged incident. The Tipton County Council on Aging, Inc. will only process complaints that are complete.

Once the complaint is received, the Tipton County Council on Aging, Inc. 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 Tipton County Council on Aging, Inc. has 30 days to investigate the complaint. If more information is needed to resolve the case, the city 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 15 business days, the Tipton County Council on Aging, Inc. 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 15 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 Cara Kellerman.

# Title VI/ADA Complaint Form

<b>Section I:</b>		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	<input type="checkbox"/> Large Print	<input type="checkbox"/> Audio Tape
	<input type="checkbox"/> TDD	<input type="checkbox"/> Other
<b>Section II:</b>		
Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes*	<input type="checkbox"/> No
<i>*If you answered "yes" to this question, go to <b>Section III</b>.</i>		
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.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Section III:</b>		
I believe the discrimination I experienced was based on (check all that apply):		
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Disability		
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.		
_____		
_____		
_____		
<b>Section VI:</b>		

Have you previously filed a Discrimination Complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide any reference information regarding your previous complaint.		
<hr/> <hr/>		
<b>Section V:</b>		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court: _____ <input type="checkbox"/> State Agency: _____		
<input type="checkbox"/> State Court: _____ <input type="checkbox"/> Local Agency: _____		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
<b>Section VI:</b>		
Name of agency complaint is against:		
Name of person complaint is against:		
Title:		
Location:		
Telephone Number (if available):		

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are **required** below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

**Encore Lifestyle & Enrichment Center**  
**Cara Kellerman, Executive Director**  
**900 E Jefferson St, Ste A**  
**Tipton, IN 46072**  
**765-675-4746**

[director@encorecenter.org](mailto:director@encorecenter.org)

A copy of this form can be found online at [encorecenter.org](http://encorecenter.org)

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

Tipton County Council on Aging, Inc.

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.*

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

## Public Participation Plan (Community Outreach)

Tipton County Council on Aging, Inc.

### Documented Public Outreach

The direct public outreach and involvement activities conducted by the **Tipton County Council on Aging, Inc.** are summarized in the table below.

Information pertinent to each event and/or activity will be provided to INDOT upon request. Examples include copies of meeting announcements, agendas, posters, attendee list, etc.

Event Date	Tipton County Council on Aging, Inc. Staffer(s)	Event	Communication Method (Public Notice, Posters, Social Media, speaking engagements)	Outreach Method (Meeting, Focus Group, Survey, etc)	Notes
Weekly	Admin.	Weekly Activities	Website & Social Media	<a href="http://www.encorecenter.org">www.encorecenter.org</a> & Facebook	
Monthly	Admin.	Calendar of events & activities	Website, social media, email, mail, paper handouts	<a href="http://www.encorecenter.org">www.encorecenter.org</a> , Facebook, in-person copies	
Quarterly	Executive Director	Newsletter	Website, social media, email, paper handouts	<a href="http://www.encorecenter.org">www.encorecenter.org</a> , Facebook, in-person copies	
weekly/as needed	Executive Director/Admin.	Advertisement	Newspaper	Tipton Tribune	
Bi-monthly	Executive Director	Meeting	Email	Community Cares Coordination Group	



## Language Assistance Plan

### Plan Components

As a recipient of federal US DOT funding, the Tipton County Council on Aging, Inc. 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.

Most individuals in Indiana read, write, speak and understand English. There are some individuals for whom English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or "LEP."

The Tipton County Council on Aging, Inc. Language Assistance Plan includes the following elements:

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

## **Tipton County Council on Aging, Inc. Summary of the Language Assistance Plan Components**

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

The **Tipton County Council on Aging, Inc.** provides transportation services to seniors and/or individuals with disabilities in Tipton County.

The US Census Bureau - American Fact Finder (2013-2018) reports the following languages spoken in **Tipton County**. After English, the second largest language group is Spanish.

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), the **Tipton County Council on Aging, Inc.** must provide translation of vital documents in written format for non-English speaking persons.

In our service area, with a population estimate of 14,862, 150 persons have identified themselves as Spanish speaking and "speaks English less than well". This language group is less than 1% and below the 5% or 1,000 person threshold. This means the **Tipton County Council on Aging, Inc.** is not required to provide written translation of vital documents. All other language groups listed above are also below the safe harbor threshold. This means, at this time, the **Tipton County Council on Aging, Inc.** is also not required to provide written translation of vital documents in these languages.

In the future, if the **Tipton County Council on Aging, Inc.** meets the Safe Harbor Threshold for any language group, it will provide written translation of vital documents in such languages and consider measures needed for oral interpretation.

### Factor 2 - Frequency

The **Tipton County Council on Aging, Inc.** staff will be trained on what to do when they encounter a person that speaks English less than well. The Tipton County Council on Aging, Inc. 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 Tipton County Council on Aging, Inc. programs and services.

The **Tipton County Council on Aging, Inc.** provides rides to 80 persons per year. While formal data has not been collected, the Tipton County Council on Aging, Inc. rarely encounters LEP persons requesting the transportation resources within the last year.

### Factor 3 - Importance

The **Tipton County Council on Aging, Inc.** understands an LEP person with language barrier challenges also faces difficulties obtaining our agency services. A transportation system is a key link to connecting LEP persons to these services.

The **Tipton County Council on Aging, Inc.** 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 services include hot meals/homebound meal delivery, transportation, wellness & activity programs and food pantry.

The **Tipton County Council on Aging, Inc.** assessment of what programs, activities and services that are most critical included contact with community organization(s) that serve LEP persons.

**Factor 4 - Resources and Costs**

Even though the **Tipton County Council on Aging, Inc.** does not have a separate budget for LEP outreach, the **Tipton County Council on Aging, Inc.** has worked to implement low cost methods of reaching LEP persons.

The **Tipton County Council on Aging, Inc.** utilizes the Tipton County Family Resource Center and their community partners to reach the LEP population. The Tipton County Family Resource Center is in the process of hiring an LEP navigator.

**Item #2 - Description of how Language Assistance Services are provided, by Language**

Any language barriers or LEP assistance will be identified through our intake process before a client begins services with our agency. At the time of intake, a translator will be made available to communicate our agency policies and procedures, including transportation. Additional tools will be determined at that time to assess the needs for future communication tools.

**Item #3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service**

The **Tipton County Council on Aging, Inc.** does the following to inform LEP persons of the availability of language assistance services: Use Google Translate for translation of documents used in the transportation intake process.

**Item #4 - Description of how the Language Assistance Plan is Monitored and Updated**

The **Tipton County Council on Aging, Inc.** reviews its plan on an annual basis or more frequently as needed. In particular, the **Tipton County Council on Aging, Inc.** 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.

**Item #5 - Description of how Employees are Trained to provide Language Assistance to LEP Persons**

**Tipton County Council on Aging, Inc.** employees are educated on the principles of Title VI and the **Tipton County Council on Aging, Inc.** Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs.

An important discussion point is that of language assistance. If a driver, dispatcher or employee needs further assistance related to LEP program participants, her/she will work with the **Tipton County Council on Aging, Inc.** Executive Director to identify strategies to meet the language needs of the participants of the program or service.

## Minority Representation Information Tipton County Council on Aging, Inc.

### A. Minority Representation Table

The table below depicts the **Tipton County Council on Aging, Inc. Board of Directors**.

Body	Caucasian	Hispanic	African American	Asian American	Native American
Population	97%	1%	1%	0%	1%
Board of Directors	100%	0%	0%	0%	0%

### B. Efforts to Encourage Minority Participation

The **Tipton County Council on Aging, Inc.** understands diverse representation on boards results in sound policy reflective of its entire population. As such, the **Tipton County Council on Aging, Inc.** encourages participation of all its citizens. As vacancies on our board become available, the Tipton County Council on Aging, Inc. will make efforts to encourage and promote diversity. To encourage participation on its board, the **Tipton County Council on Aging, Inc.** will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, the **Tipton County Council on Aging, Inc.** will make participating realistic and reasonable by scheduling meetings at times best suited to its members.

