

# City of Berlin Senior Center

## Title VI and Nondiscrimination Program/ Limited English Proficiency Plan<sup>1</sup>

Revised on: 12/01/2021

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Adopted by: City of Berlin Committee on Aging

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Adopted on: 03/23/2021

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*This plan is hereby adopted and signed by:*

**City of Berlin Senior Center**

Executive Name/Title: Rebecca Bays, Director Berlin Senior Center

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Executive Signature:

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### Policy Statement

The **City of Berlin Senior Center** is committed to ensuring that no person is excluded from, participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by the **City of Berlin Senior Center** in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.

As a recipient of USDOT funding, the **City of Berlin Senior Center** is required to prepare a Title VI Program/LEP Plan including the following elements<sup>2</sup>:

1. Evidence of Policy Approval, Log of Policy Updates, Contact Information/Program Administration
2. Notice of Nondiscrimination (**Appendix A**)
3. Complaint Procedure (**Appendix B**)
4. Complaint Form (**Appendix C**)
5. List of complaints, Investigations, and Lawsuits (**Appendix D**)
6. Public Participation Plan (**Appendix E**)
7. Limited English Proficiency (LEP) Plan (**Appendix F**)
8. Demographic Representation Information (**Appendix G**)

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<sup>1</sup> **Title VI** of the Civil Rights Act of 1964 states “No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” – [Title 42 USC Section 2000d](#)

<sup>2</sup> [FTA Circular 4702.1B](#) – Title VI Requirements and Guidelines for Federal Transit Administration Recipients

## Policy Updates – Activity Log

The **City of Berlin Senior Center** will review its policy on an annual basis to determine if modifications are necessary.

The **City of Berlin Senior Center** will use the table below to record reviews/revisions made to the plan.

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Remarks
12/17/2020	Begin Development of Title VI Plan	Sara Rutkowski	Began work on documents
03/11/2021	Plan first review	Sara Rutkowski	Plan completed
03/23/2021	Plan approved at COA	Committee On Aging Members	

## Contact Information/Program Administration

### Chief Executive

The **City of Berlin Senior Center's** Chief Executive will ensure compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

<b>Name:</b>	Rebecca Bays
<b>Email:</b>	rbays@cityofberlin.wi.gov
<b>Phone:</b>	920-361-5422

### Civil Rights Coordinator

The **City of Berlin Senior Center's** Civil Rights Coordinator ensures Title VI/Nondiscrimination and LEP compliance in accordance with the **City of Berlin Senior Center's** federally funded transportation program. The Civil Rights Coordinator has other duties and responsibilities in addition to Title VI/Nondiscrimination and LEP compliance. This position has a direct reporting relationship and access to the **City of Berlin Senior Center's** Chief Executive.

<b>Name:</b>	Rebecca Bays
<b>Email:</b>	rbays@cityofberlin.wi.gov
<b>Phone:</b>	920-361-5422

The Civil Rights Coordinator is responsible for initiating, monitoring, and ensuring compliance of the **City of Berlin Senior Center's** nondiscrimination requirements, including the following activities:

- ✓ Program Administration
  - Ensure compliance with federal Title VI/Nondiscrimination and LEP requirements
  - Develop and implement the **City of Berlin Senior Center's** Title VI/Nondiscrimination and LEP Plan
  - Update and maintain Title VI/Nondiscrimination and LEP program policies and procedures
- ✓ Complaints
  - Review, track, investigate and close Title VI/Nondiscrimination and LEP complaints
- ✓ Employee Training
  - Educate staff on Title VI/Nondiscrimination and LEP requirements and procedures
- ✓ Reporting
  - Prepare and submit Title VI/Nondiscrimination reports per state and federal regulations
- ✓ Public Dissemination
  - Notify the public of the **City of Berlin Senior Center's** Nondiscrimination requirements via the **City of Berlin Senior Center's** website, in vehicles, in a public location inside the office, etc.
- ✓ Oversight
  - Ensure contractors and lessees adhere to Title VI/Nondiscrimination and LEP requirements

## Notice of Nondiscrimination

[FTA Title VI Circular 4702.1B](#) requires the **City of Berlin Senior Center** as a recipient of federal financial assistance to notify the public of its obligations under U.S. DOT Title VI regulations and the protections against discrimination afforded to them by Title VI.

Title VI regulations require the **City of Berlin Senior Center** to inform the public of their rights under Title VI by posting a *Notice of Nondiscrimination*. The *Notice of Nondiscrimination* should be posted in the following locations: agency website, public areas of the agency office, and as applicable, inside vehicles, rider guides/schedules, and transit shelters/facilities.

The public notice must include a statement of nondiscrimination, information on how to request additional information about the agency's Title VI obligations, including information on how to file a complaint, the location of the complaint form, etc., and information on how to request Title VI information in another language, if required.

The **City of Berlin Senior Center's** *Notice of Nondiscrimination* is provided in the following locations:

- ✓ Agency website <https://cityofberlin.net/senior-center/>
- ✓ Front desk and public posting areas of the agency office
- ✓ Inside vehicle
- ✓ City of Berlin City Hall
- ✓ Vehicle Shelter Facility

On English versions of the *Notice of Nondiscrimination*, a sentence is included in Spanish and Hmong to contact the **City of Berlin Senior Center** at (920)361-5422 if additional information is needed in another language.

To view a copy of the **City of Berlin Senior Center's** *Notice of Nondiscrimination*, please see **Appendix A**.

## Complaint Procedure and Complaint Form

The **City of Berlin Senior Center**, as a recipient of federal financial assistance must develop a procedure for investigating, tracking and resolving Title VI/Nondiscrimination and LEP complaints and make the procedures available to the public upon request.

Any person, group or firm that believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) by the **City of Berlin Senior Center** may file a civil rights complaint.

### Scope of Civil Rights Complaints

The scope of civil rights complaints covers all internal and external the **City of Berlin Senior Center** activities. Adverse impacts resulting in civil rights complaints can arise from many sources including the delivery of programs and services, or advertising, bidding and contracts.

Complaints can also originate as a result of project and program impacts on individuals or groups. Examples include social and economic impacts such as access to programs, activities and services, failure to maintain facilities and vehicles, traffic, noise, air quality, and accidents.

The **City of Berlin Senior Center's** complaint procedure is shown in **Appendix B** and made available in the following locations:

- ✓ Agency website, both as a reference in the *Notice of Nondiscrimination* and in its entirety
- ✓ Front desk/Public areas of the agency office

A copy of the **City of Berlin Senior Center's Complaint Form** is shown in **Appendix C**.

#### Civil Rights Investigations

Recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination. The list shall include the date the civil rights complaint, investigation, or lawsuit was filed, a summary of the allegation(s), the status of the complaint, investigation, or lawsuit, actions taken by the recipient in response, and final findings related to the complaint, investigation, or lawsuit.

**Appendix D** is the **City of Berlin Senior Center's** procedure and tracking mechanism to investigate, track and resolve complaints.

Since the development of this plan, or receiving funds, of this Title VI/Nondiscrimination Program/LEP Plan, there has been no transportation related civil rights investigations, complaints, or lawsuits filed with the City of Berlin Senior Center.

### **Public Participation Plan**

Recipients of federal financial assistance are required to develop a public participation plan that includes an outreach plan to engage minority, low-income, and limited English proficient (LEP) populations, as well as summary of outreach efforts made since the last Title VI/Nondiscrimination Program/LEP Plan.

While traditional means of soliciting public involvement may not reach such individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions to provide opportunities for historically under-served populations to participate in transportation decision making efforts.

A copy of the **City of Berlin Senior Center's Public Participation Plan** is shown in **Appendix E**.

### **Limited English Proficiency (LEP) Plan**

As a recipient of federal USDOT funding, the **City of Berlin Senior Center** is required under [Title VI of the Civil Rights Act of 1964](#) and [Executive Order 13166](#) to develop and implement a plan to ensure accessibility to its programs and services for persons who are not proficient in the English Language.

A copy of the **City of Berlin Senior Center's Limited English Proficiency (LEP) Plan** is shown in **Appendix F**.

The LEP plan outlines the policies and procedures the **City of Berlin Senior Center** will use in addressing the needs of persons with limited English proficiency (LEP) that wish to participate in the **City of Berlin Senior Center** programs and services.

## **Minority Representation Information**

The **City of Berlin Senior Center** understands that diverse representation on boards, councils, and committees help results in sound policy reflective of the needs of the entire population. [FTA Title VI Circular 4702.1B](#) requires that for any recipients which have transportation-related, non-elected boards, advisory council or committees, or similar bodies, membership of these committees must be broken down by race and accompanied by a description of efforts made to encourage the participation of minorities on these committees.

A copy of the **City of Berlin Senior Center's** *Minority Representation Information* is shown in **Appendix G**.

### Title VI - Notice of Nondiscrimination to the Public

The **City of Berlin Senior Center**'s *Notice of Nondiscrimination* is as follows:

#### Notice of Nondiscrimination

##### City of Berlin Senior Center

- ✓ The **City of Berlin Senior Center** is committed to ensuring that no person is excluded from, participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by the **City of Berlin Senior Center** in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.
- ✓ Any person who believes they've been aggrieved by any unlawful discriminatory practice may file a complaint with the **City of Berlin Senior Center**.
- ✓ For more information on the **City of Berlin Senior Center**'s civil rights program, and the procedures to file a complaint, contact 920-361-5422, (for hearing impaired, please use Wisconsin Relay 711 service); email [srutkowski@cityofberlin.net](mailto:srutkowski@cityofberlin.net) ; or visit our administrative office at 142 Water Street, Berlin, WI 54923. For more information, visit <https://cityofberlin.net/senior-center/>
- ✓ 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 920-361-5422.  
Si se necesita informacion en otro idioma de contacto, 920-361-5422.  
Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau 920-361-5422.

### Complaint Procedure

The **City of Berlin Senior Center's** Complaint Procedure is made available in the following locations:

- ✓ Agency website, both as a reference in the *Notice of Nondiscrimination* and in its entirety
  - ✓ Front desk/Public areas of the agency office
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Any person who believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficient (LEP) by the **City of Berlin Senior Center** may file a complaint by completing and submitting the **City of Berlin Senior Center's** Complaint Form.

The Complaint Form may also be used to submit general complaints to the **City of Berlin Senior Center**.

The **City of Berlin Senior Center** investigates complaints received no more than 180 business days after the alleged incident. The **City of Berlin Senior Center** will process complaints that are complete.

Once the complaint is received, the **City of Berlin Senior Center** will review the complaint and work to resolve the complaint informally, if possible.

If the complaint warrants a formal civil rights complaint process, the **City of Berlin Senior Center** will follow the steps listed in this complaint procedure. The **City of Berlin Senior Center** may also use this formal procedure to address general complaints. If the **City of Berlin Senior Center** determines it has jurisdiction the complainant will receive an acknowledgement letter stating the complaint will be investigated by the **City of Berlin Senior Center** as a civil rights complaint.

The **City of Berlin Senior Center** has 30 business days to investigate the civil rights complaint. If more information is needed to resolve the case, the **City of Berlin Senior Center** 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 30 business days, the **City of Berlin Senior Center** 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, one of two (2) letters will be issued 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, the complainant has 30 business 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 920-361-5422.

Si se necesita informacion en otro idioma de contacto, 920-361-5422.

Yog muaj lus qhia ntxiv rau lwm hom lus, hu rau 920-361-5422.



## City of Berlin Senior Center - Complaint/Comment Form

The **City of Berlin Senior Center** is committed to providing you with safe and reliable transportation services and we want your feedback. Please use this form for suggestions, compliments, and complaints.

Please submit this form electronically at [srutkowski@cityofberlin.net](mailto:srutkowski@cityofberlin.net) or in person at the address below.

### City of Berlin Senior Center

142 Water Street  
Berlin, WI 54923

You may also call us at 920-361-5422. Please make sure to provide your contact information in order to receive a response.

### Section A: Accessible Format Requirements

Please check the preferred format for this document

<input type="checkbox"/> Large Print	<input type="checkbox"/> TDD or Relay	<input type="checkbox"/> Audio Recording	<input type="checkbox"/> Other (if selected please state what type of format you need in the box below)
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Click or tap here to enter text.

### Section B: Contact Information

Name <input type="text"/>	Telephone Number (including area code) <input type="text"/>
Address <input type="text"/>	City <input type="text"/>
State <input type="text"/>	Zip Code <input type="text"/>

Email Address

Are you filing this complaint on your own behalf?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If no, please provide the name and relationship of the person for whom you are complaining and why you are completing the form on their behalf in the box below.

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
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## Section C: Type of Comment

What type of comment are you providing? Please check which category best applies.

<input type="checkbox"/> Complaint	<input type="checkbox"/> Suggestion	<input type="checkbox"/> Compliment	<input type="checkbox"/> Other
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Which of the following describes the nature of the comment? Please check one or more of the check boxes.

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion
<input type="checkbox"/> Age	<input type="checkbox"/> Sex	<input type="checkbox"/> Service	<input type="checkbox"/> Income Status
<input type="checkbox"/> Limited English Proficient (L.E.P)		<input type="checkbox"/> Americans with Disability Act (A.D.A)	

## Section D: Comment Details

Please answer the questions below regarding your comment

Did the incident occur on the following type of service? <i>Please check any box that may apply.</i>	<input type="checkbox"/> Paratransit	<input type="checkbox"/> Shared Ride Taxi	<input type="checkbox"/> Bus
What was the date of the occurrence?	Click to add date in the following format: Day, month, year		
What was the time of the occurrence?	Click to add the time		
What is the name or identification of the employee or employees involved?	Click or tap here to enter text.		
What is the name or identification of others involved, if applicable?	Click or tap here to enter text.		
What was the number or name of the route you were on, if applicable?	Click or tap here to enter text.		
What was the direction or destination you were headed to when the incident occurred, if applicable?	Click or tap here to enter text.		
Where was the location of the occurrence?	Click or tap here to enter text.		
Was the use of a mobility aid involved in the incident?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Please add any additional descriptive details about the incident.	Click or tap here to enter text.		

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In the box below, please explain as clearly as possible what happened and why you believe you were discriminated against.

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Click or tap here to enter text.

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### Section E: Follow-up

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May we contact you if we need more details or information?

☐ Yes

☐ No

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If yes, how would you best liked to be reached? Please select your preferred form of contact below

☐ Phone

☐ Email

☐ Mail

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If you would prefer to be contacted by phone, please list the best day and time to reach you.

Click here to add your preferred time

Click here to add your preferred day

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### Section F: Desired Outcome

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Please list below, what steps you would like taken to address the conflict or problem.

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Click or tap here to enter text.

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If applicable, please list below all additional agencies you have filed this complaint with such as Federal, State, Local agencies, or with any Federal or State Court. Please include the contact information to where the complaint was sent.

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Click or tap here to enter text.

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### Section G: Signature

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Please attach any documents you have which support the allegation. Then date and sign this form and send it to the City of Berlin Senior Center.

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Name

Date:

Signature

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## Appendix D

### List of Complaints, Investigations and Lawsuits<sup>3</sup>

The **City of Berlin Senior Center** maintains a log to track and resolve transit related complaints, investigations and lawsuits.

**Check One:**

**X**

Since the last update of this Title VI/Nondiscrimination Program/LEP Plan, there has been no transportation related civil rights investigations, complaints, or lawsuits filed with the **City of Berlin Senior Center**.

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

Type Complaint Investigation Lawsuit	Date (Month, Day, Year)	Complainant's Name/Address	Basis of Complaint <sup>4</sup>	Summary Complaint Description	Status	Action Taken/ Final Outcome if Resolved
					Open or closed	No further action, closed on (date)

<sup>3</sup> **Lawsuit:** The protected class under Title II is disability. The protected classes under Title VI are Race, Color and Nation Origin.

<sup>4</sup> **Basis of Complaint:** Specify Race, Color, National Origin, Disability, Religion, Sex, Age, Service, Income Status, Limited English Proficient (LEP), Safety, Other

### Public Participation Plan

The purpose of the **Public Participation Plan** is to establish procedures that allow for, encourage, and monitor participation of all citizens within the **City of Berlin Senior Center** service area including but not limited to low income and minority individuals, and those with limited English proficiency (LEP).

While traditional means of soliciting public involvement may not reach such individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions to provide opportunities for historically under-served populations to participate in transportation decision making efforts.

#### Goal

The goal of public participation is to offer real opportunities for the engagement of all citizens within the **City of Berlin Senior Center** service area to participate in the development of plans, programs and services.

#### Strategies

In order to promote inclusive public participation, the **City of Berlin Senior Center** employs the following strategies, as appropriate.

- Coordination and Consultation
  - Coordinate and consult with partners, stakeholders, program participants and their caregivers, and the public affected by the distribution of state and federal transit grant programs.
  - Seek guidance and input from WisDOT on public involvement mechanisms and strategies.
  - Maintain electronic distribution list of all potential subrecipients, subrecipients, partners, stakeholders, etc.
- Accessibility and Information
  - Meetings
    - Adhere to state and federal public hearing requirements
    - Provide a general notification of meetings, particularly forums for public input, in a manner that is understandable to all populations in the area.
    - Hold meetings in locations which are accessible and reasonably welcoming to all area residents including, but not limited to, low-income and minority members of the public.
    - Employ different meeting sizes and formats
    - Provide avenues for two-way flow of information and input from populations which are not likely to attend meetings.
  - Make public information available in electronically accessible formats
  - Use social media in addition to other resources to gain public involvement
  - Use radio or newspaper ads on stations and in publications that serve LEP populations.
  - Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

- Timeliness
  - Provide timely information about state and federal grant programs to affected program participants, the public, partner agencies, and other interested parties.
  - Provide adequate notice of public involvement activities and time for public review and comment.
- Public Comment
  - Work openly and diligently to incorporate public comments received and to notify respondents of final plans, reports, programs, etc.
  - Provide for early, frequent and continuous engagement by the public
- Social/Environmental Justice
  - Seek and consider the needs of those traditionally underserved by participating in outreach efforts that address the needs of minority persons, the elderly, persons with disabilities, limited English Proficient individuals, and low-income households.
  - Determine what non-English languages and other cultural barriers exist to public participation within the **City of Berlin Senior Center** service area.
- Training
  - Participate in training to continuously improve the knowledge and understanding of civil rights and environmental justice principles.
- Evaluation
  - Document and maintain records of public outreach efforts.
  - Review the effectiveness of public participation activities.
  - Seek new ways to providing public input opportunities.

## Participation Techniques

The **City of Berlin Senior Center** will use the following participation techniques as deemed appropriate. Participation techniques will be reviewed and modified each year, as necessary. If new techniques are tried and found to be successful, this list will be updated to include the new techniques.

- Booth at Community events (craft fair, festival, farmers market, parades, etc.)
- Advisory meetings and committees
- Direct mailings (letters, fliers, etc.)
- Website and social media
- Project-specific newsletter articles
- Public information meetings
- Legal advertisements
- Presentations to community partners, citizens/residents, etc.
- Press releases, meetings with local media representatives
- Surveys (telephone, internet, and public information meetings)
- Work with partner organizations

## Public Outreach Activities

The **City of Berlin Senior Center** maintains a log/record of the various types of outreach activities it uses to promote inclusive public participation. On an annual basis, the **City of Berlin Senior Center** 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 the **City of Berlin Senior Center** are summarized 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. information posted to social media, fliers in grocery stores and community centers, etc.) will be used for future planning efforts.

Event Date	Event	Date Publicized and Communication Method (Public Notice, Posters, Social Media, etc.)	Outreach Method (Meeting, Focus Group, Survey, etc).	Staff Members Responsible	Notes
Weekly	Marketing	Thursdays	Weekly Area Newspaper	Office Staff	Weekly Column for Senior Center
Ongoing	Website	Social Media Materials	Website, Facebook	Office Staff	<a href="http://www.cityofberlin.net/seniorcenter">www.cityofberlin.net/seniorcenter</a>
Monthly	Marketing	Beginning of the Month	Senior Center Newsletter	Office Staff	Printed and published online
Monthly	Monthly Committee Meetings	Public Notice and Website	Monthly meetings held on the 4 <sup>th</sup> Tuesday of the month	Committee on Aging	
Ongoing	Presentation	As needed and requested	Phone Calls	Office Staff	Promotion of Transportation Services offered in area
Quarterly	Quarterly Committee Meeting	Public Notice	First Monday in January, April, July & October	Friends of the Berlin Senior Center	

### Limited English Proficiency (LEP) Plan

#### Overview

As a recipient of federal financial assistance, the **City of Berlin Senior Center** is required to prepare a Limited English Proficiency (LEP) Plan to address its responsibilities relating to the needs of individuals with limited English language skills.

This plan has been prepared in accordance with [Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq.](#), and its implementing regulations which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

[Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency”](#), issued in 2000 clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. While most individuals in Wisconsin 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 (LEP).

The US DOT [“Policy Guidance Concerning Recipients’ Responsibilities to LEP Persons”](#) discusses the concept of “safe harbor” with respect to the requirements for translation of written materials. 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) the **City of Berlin Senior Center** must provide translation of vital documents (e.g., Notice of Nondiscrimination, Complaint Procedure and Complaint Form) in written format for the non-English users.

Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. The Federal Transit Administration (FTA) published [FTA Circular 4702.1B – Title VI Requirements and Guidance for FTA Recipients](#), provides guidance and instructions for carrying out US DOT FTA Title VI regulations.

#### Plan Summary

The **City of Berlin Senior Center** has developed this *Limited English Proficiency Plan* to identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided by the **City of Berlin Senior Center**. This plan outlines how to identify a person who may need language assistance, how to notify LEP persons language assistance is available, the ways in which assistance may be provided, and staff training.

#### Plan Components

As a recipient of federal US DOT funding, the **City of Berlin Senior Center** is required to take reasonable steps to ensure meaningful access to programs and activities by LEP persons.

This 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 the following:



- ✓ How language assistance services are provided.
- ✓ How LEP persons are informed of the availability of language assistance services.
- ✓ How the language assistance plan is monitored and updated.
- ✓ How employees are trained to provide language assistance to LEP persons.

## Meaningful Access - Four Factor Analysis

To prepare this plan, the **City of Berlin Senior Center** conducted a four-factor analysis which considers the following:

### **Factor 1 - Demography**

**Number and proportion of LEP persons who may be served or are likely to encounter a City of Berlin Senior Center program or service.**

This plan uses [US Census Bureau – American Fact Finder \(2011-2015\)](#) language data available for Green Lake County. More data is available on the [US Census Bureau ACS website](#).



The US Census Bureau – American Fact Finder (2011-2015) data shows there are numerous languages spoken in Green Lake County. Some of these languages include Spanish, German, Hmong, Thai, Tagalog, Polish, Russian, and Greek. 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 **City of Berlin Senior Center** must provide translation of vital documents in written format for non-English speaking persons.

In Green Lake County, with a population estimate of 17,986, 347 persons have identified themselves as Spanish speaking and “speaks English less than very well”. The Spanish language group is less than 1% and below the 5%, or 1,000 persons threshold of the population to be served. This means the **City of Berlin Senior Center** 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 **City of Berlin Senior Center** is also not required to provide written translation of vital documents in these languages.

In the future, if the **City of Berlin Senior Center** 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**

**Frequency of contact with LEP persons.**

The **City of Berlin Senior Center** is a senior activity center in Berlin, Wisconsin located in Green Lake County. City of Berlin Senior Center receives federal transit dollars to provide transportation service for its residents.

The **City of Berlin Senior Center** reviewed the frequency with which its staff, policy board, and contractors have, or could have, contact with LEP persons in the conduct of the **City of Berlin Senior Center** activities.

This includes a review of documented phone inquiries, office visits, and encounters at public meetings and community events. Within the last year, the **City of Berlin Senior Center** staff have had zero (0) requests for interpreters and zero (0) requests for translated program documents in any setting.

The **City of Berlin Senior Center** staff will be trained on what to do when they encounter a person with limited English proficiency.

The **City of Berlin Senior Center** tracks the number of encounters and consider adjustments as needed to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of the **City of Berlin Senior Center's** programs and services. The *Log of LEP Encounters* is a tool to help track LEP encounters.

### Log of LEP Encounters

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

If a language barrier were to exist, the **City of Berlin Senior Center** would work to provide a reasonable accommodation. The *"I Speak" Language Identification Card* listed shown below is a document that can be used by the **City of Berlin Senior Center** staff to assist LEP individuals. Additional languages can be added, as needed, to match the demographic changes of the **City of Berlin Senior Center's** service area. The languages included in the *"I Speak" Language Identification Card* below represent many of the languages spoken within the **City of Berlin Senior Center** service area.

### "I Speak" Language Identification Card

Mark this box if you speak....	Language Identification Chart	Language
	I speak English	English
	Ich spreche Deutsch	German
	Yo hablo español	Spanish
	Kug has lug Moob	Hmong
	ฉันพูดภาษาไทย	Thai
	Ja mówię po polsku	Polish
	я говорю на русском	Russian
	Marunong akong mag-Tagalog	Tagalog
	Μιλάω ελληνικά	Greek
	میں نے اردو بولتے ہیں	Urdu

### **Factor 3 – Importance**

#### **Nature and importance of program to LEPs.**

The overwhelming majority of the population, in the City of Berlin's region, speaks only English. As a result, there are only a few social services and professional organizations that focus on outreach to LEP individuals. The City of Berlin does have access to some translators but are more likely to contact LEP individuals through public meetings and other events.

The **City of Berlin Senior Center** receives federal financial assistance to purchase vehicles for its program and to provide transportation services for area seniors, nursing home residents, and others in need. The **City of Berlin Senior Center** understands 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. The City of Berlin's Transportation services will provide a key role in connecting LEP persons to these essential services.

### **Factor 4 – Resources and Costs**

#### **Resources available and overall cost to provide LEP assistance.**

Given the small size of LEP encounters and small LEP populations, full multi-language translations of our programs and services related to transportation services is not warranted at this time. However, this information can be made upon request. The **City of Berlin Senior Center** will contact state and local units of government and community resources for assistance in translation services.

Even though the **City of Berlin Senior Center** does not have a separate budget for LEP outreach, it continuously explores ways to implement low cost methods of notifying LEP persons of transportation services. Outreach efforts include maintaining a website, utilizing social media, developing and printing brochure/materials and having a visible presence in our community (e.g., participating in job fairs, parades, community events, etc.). Additional low-cost outreach methods to reach LEP communities include but are not limited to activities such as visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions and local festivals. The cost is relatively low but the ability to reach the LEP population is high.

In addition to the Four-Factor Analysis, this plan addresses the following elements:

- ✓ A description of how language assistance services are provided by language.
- ✓ A description of how LEP persons are informed of the availability of language assistance service.
- ✓ A description of how the language assistance plan is monitored and updated.
- ✓ A description of how employees are trained to provide language assistance to LEP persons.

## **Language Assistance Services**

### **Overview - Language Assistance Services**

If a person does not speak English as their primary language and is LEP, that person may be entitled to language assistance with respect to the **City of Berlin Senior Center's** programs and services. Language assistance can include interpretation and/or translation from one language into another language.

The **City of Berlin Senior Center** will take reasonable steps to provide the opportunity for meaningful access to LEP individuals who have difficulty communicating in English.

The **City of Berlin Senior Center** strives to offer the following measures:

- ✓ When encountering LEP persons directly, the **City of Berlin Senior Center** staff use the “*I Speak*” *Language Identification Card* or posters to identify the language and communication need of LEP persons.
- ✓ Maintain a *Log of LEP Encounters* to capture information on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
- ✓ Make translated versions (or provide for the interpretation of relevant sections) of all documents/publications available upon requests, within a reasonable time frame.
- ✓ Work with translation services as necessary to assist with the development of bilingual outreach materials.
- ✓ Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>
- ✓ Utilize online resources such as Google Translate to assist with the translation of documents. The main downside of this approach is accuracy. As such, this option will be used by the **City of Berlin Senior Center** on limited basis. Instead, the **City of Berlin Senior Center** will seek assistance from fluent speakers.

#### **Public Outreach – Informing LEP Persons of Language Assistance Services**

The **City of Berlin Senior Center** uses the following steps to inform LEP persons of the availability of language assistance services:

- ✓ Posts the ***Notice of Nondiscrimination*** on its website. The notice includes a sentence written in Spanish and Hmong providing instructions on how to contact the **City of Berlin Senior Center** to request information in another language.
- ✓ When encountering LEP persons directly, as needed, the **City of Berlin Senior Center** will use the “*I Speak*” *Language Identification Card* to identify the language and communication need of LEP persons. The **City of Berlin Senior Center** may not be able to immediately accommodate or assist individuals self-identifying as a person not proficient in English but will seek means to follow up with the individual to address their needs in the language requested as soon as possible.
- ✓ Review outreach activities and information gathered from the *Log of LEP Encounters* on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
- ✓ Develop and maintain cooperative relationships with key agencies/community organizations that serve LEP populations in the area or region. These entities can assist in providing or verifying translations and/or identifying gaps in assistance to persons with LEP needs.
- ✓ Utilize translation services such a fluent speaker on staff, seeking out language assistance from community organizations, Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>

### **Monitoring, Evaluating and Updating the Plan**

The **City of Berlin Senior Center** will review the LEP Plan on an annual basis. Review and updates will include the following:

- ✓ The number of documented LEP person contacts.
- ✓ How the needs of LEP persons have been addressed.
- ✓ Determine whether the need for translation services has changed.
- ✓ Determine with existing language assistance services are effective and sufficient to meet the needs of LEP persons.
- ✓ Determine whether complaints have been received concerning the **City of Berlin Senior Center's** failure to meet the needs of LEP individuals.
- ✓ Sufficiency of staff training.
- ✓ Review of any new opportunities for LEP communication.
- ✓ Determine whether financial resources are needed to fund language assistance services.

### **Training Staff**

The following training will be provided to the **City of Berlin Senior Center** staff:

- ✓ Information on the **City of Berlin Senior Center's** Title VI/Non-Discrimination Plan and LEP responsibilities.
- ✓ Description of language assistance services offered to the public.
- ✓ Use of the "I-Speak Card" as a tool to assist LEP individuals.
- ✓ Documentation of language assistance requests using the *Log of LEP Encounters*.
- ✓ How to handle potential Title VI/Non-Discrimination and LEP.

## Demographic Representation Information<sup>5</sup>

### A. Demographic Representation Table<sup>6</sup>

The table below depicts US Census Green Lake County population data by race and the **City of Berlin Senior Center's** non-elected committees/councils related to transit.



Body	Caucasian	Hispanic/Latino	Black/African American	Asian American	Native American	Two or More Races
Green Lake County Population	92.9%	4.6%	.64%	.41%	.29%	1.16%
Committee on Aging	100%	0%	0%	0%	0%	0%
Green Lake County Transportation Committee	100%	0%	0%	0%	0%	0%

### B. Efforts to Encourage Minority Participation

The **City of Berlin Senior Center** understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, the **City of Berlin Senior Center** encourages participation of all its citizens.

As vacancies on non-elected boards, committees and councils become available, the **City of Berlin Senior Center** will make efforts to encourage and promote diversity.

To encourage participation on its boards, committees and councils, the **City of Berlin Senior Center** will continue to reach out to community organizations to connect with all population groups in its service area. In addition, the **City of Berlin Senior Center** will use creative ways to make participating realistic and reasonable, such as scheduling meetings at times best suited to its members.

<sup>5</sup> If the **City of Berlin Senior Center** has transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the **City of Berlin Senior Center**, Title VI regulations require the **City of Berlin Senior Center** to provide a table depicting the membership of those committees broken down by race and a description of efforts made to encourage the participation of minorities on such committees.

<sup>6</sup> County data by race is available at the WisDOT website <https://wisconsindot.gov/Documents/doing-bus/local-gov/astnce-pgms/transit/compliance/title6-race.pdf> or the US Census Bureau website <http://data.census.gov>

## Demographic Representation Data Collection Form<sup>7</sup>

Name of board, commission, council, etc.

Date:

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Dear Member,

As the **City of Berlin Senior Center** is a recipient of federal funds, we are required under Title VI of the Civil Rights statute to ascertain the racial/ethnic make-up of any non-elected boards, commissions, councils, etc.

Data from this section is used for statistical and reporting purposes. The information may be subject to disclosure under federal or state law or rule.

### Anti-Discrimination Notice

It is unlawful for the **City of Berlin Senior Center** to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual's race, color, religion, sex, national origin, disability or veteran status.

As a council under the jurisdiction of the **City of Berlin Senior Center**, we invite council members to voluntarily self-identify their race/ethnicity in order for us to comply with FTA Title VI regulations. This information will be used according to the provisions of applicable federal and state laws, executive orders and regulations, including those requiring the information to be summarized and reported to the federal government for civil rights enforcement purposes.

### Race/Ethnicity

If you choose to self-identify, please mark the **one box** describing the race/ethnicity category with which you primarily identify:

\_\_\_ *Asian or Pacific Islander*: All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

\_\_\_ *Black and/or African American* (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

\_\_\_ *Hispanic*: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

\_\_\_ *American Indian or Alaskan Native*: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

\_\_\_ *Caucasian* (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

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<sup>7</sup> This form is an optional tool the **City of Berlin Senior Center** can use to gather information on the racial composition of its committee members for the purposes of meeting the Title VI plan requirements.