

16AM 19-33

Kendall County
Title VI
Statement of Policy and Program

Kendall County is committed to a policy of non-discrimination pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d). Kendall County recognizes its responsibilities to the communities in which it operate. It is Kendall County's policy to utilize its best efforts to assure 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 subjected to discrimination under its delivery of transit service and any other program or activity for which Kendall County receives Federal financial assistance."

Toward this end, it is Kendall County's objective to:

- A. Ensure that the level and quality of transit service delivery is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of transit service programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transit service provision decision making;
- D. Prevent the denial, reduction, or delay in benefits related to transit service programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to transit service programs and activities by persons with limited English proficiency.

The responsibility for carrying out Kendall County's commitment to this Title VI program has been delegated to the Kendall County Administrator by the Kendall County Board. As the Title VI Coordinator, the County Administrator is responsible for the day-to-day operations of this Program and will receive and investigate Title VI complaints, which come through the complaint procedure. However, all managers, supervisors, and employees share in the responsibility for making Kendall County's Title VI Program a success. The Title VI Coordinator shall be responsible for maintaining all records relating to this Policy including, but not limited to, this Title VI Policy, copies of all Title VI complaints or lawsuits and related documentation, all records of correspondence to and from complainants, and Title VI investigations.

Additional information concerning Kendall County's Title VI obligations and the complaint procedure can be obtained by contacting the County Administrator at (630) 553-4171 or via United States mail at Kendall County Administrator, 111W. Fox Street, Yorkville, Illinois 60560.

TITLE VI INFORMATION, DISSEMINATION, & COMMUNITY OUTREACH

Title VI information posters shall be prominently and publicly displayed in the Kendall County Office of Administrative Services at 111 W. Fox Street, Yorkville, Illinois 60560; in the Kendall Area Transit office located at 109 W. Ridge St, Yorkville, Il, 60560, and onboard all Kendall Area Transit vehicles.

Information relating to Kendall County's nondiscrimination obligation can also be obtained from Kendall

County's website at www.co.kendall.il.us/kendall-area-transit/.

During transit employee orientation and subsequent employee trainings, information relative to the provisions of Title VI and the County's expectations to perform their duties accordingly will be reviewed and discussed.

Community outreach is a requirement of Title VI recipients and sub-recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected populations, the public involvement process, and the resources of the recipient. The County has not appointed an unelected transportation planning board or committees. As stated above, the Title VI Policy will be located on Kendall County's website and will be available for review in multiple locations. Also, all County Board meetings are open to the public and follow the Illinois Open Meetings Act. The County and or the County's non-profit pass-through transit operator conduct community group meetings, resource fairs, maintain active Facebook page, and provide brochures. The County's non-profit pass-through transit operator has staff fluent in the Spanish language and have translated materials into Braille and Spanish. Other translations are available upon request.

SUBCONTRACTS AND VENDORS

All subcontractors and vendors who receive payments from Kendall County where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts with such subcontractors and vendors shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

LIMITED ENGLISH PROFICIENCY POLICY STATEMENT AND AVAILABLE RESOURCES

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. Title VI and its implementing regulations require that certain federal grant recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). To that end, Kendall County provides translation and interpretation services free of charge upon request by calling {630} 553-4171 or by contacting the Title VI Coordinator at 111W. Fox Street, Yorkville, Illinois 60560.

Since the initial adoption of this policy on June 19, 2012, there have been no complaints, investigations or lawsuits pursuant to this Title VI policy.

Adopted by the Kendall County Board, this day of August 27, 2019.

Approved



Scott R. Gryder, Board Chairman



Debbie Gillette, County Clerk

ATTACHMENT A

Long-Form Title VI Notice to the Public

YOUR RIGHTS UNDER TITLE VI

Kendall County operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the 1964 Civil Rights Act. Any person who believes that she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with our agency.

Any such complaint must be in writing and filed with this agency within 180 days following the date of the alleged discriminatory occurrence. For information on our nondiscrimination obligations or how to file a complaint, please contact Kendall County by any of the methods listed below:

**Kendall County Administrative Services 111 W. Fox St.
Yorkville, IL, 60560**

**630-553-4171 (phone)
- 630-553-4214 (fax)**

kcadmin@co.kendall.il.us

If this information is needed in another language, please contact us.

Short Title VI Notice to the Public

Kendall County operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the 1964 Civil Rights Act. To find out more about our nondiscrimination obligations, to file a complaint, or to request this information in another language, please contact us at 630-553-4171.

ATTACHMENT B

Kendall County

TITLE VI COMPLAINT FORM

“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.”

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:

Title IV Coordinator County of Kendall 111 W. Fox St, Yorkville, IL, 60560

Ph: 630-553-4171

Fax: 630-553-4214

Kcadmin@co.kendall.il.us

PLEASE PRINT if you are not completing the on-line version of this form.

1. Complainant's Name:		
a. Address:		
b. City:	State:	Zip Code:
c. Telephone (Home <input type="checkbox"/> or Cell <input type="checkbox"/> Please include area code () ()		Telephone Number (Work) ()
d. E-Mail Address:		
Do you prefer to be contacted via this e-mail address? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2. Accessible Format of Form Needed? <input type="checkbox"/> Large Print <input type="checkbox"/> Audio Tape <input type="checkbox"/> TDD <input type="checkbox"/> Other (please specify):		
3. Are you filing this complaint on your own behalf? <input type="checkbox"/> Yes If YES, please go to Question 7 <input type="checkbox"/> No If no, please go to question 4		
4. If you answered NO to question 3 above, please provide your name and address.		
a. Name of Person Filing Complaint:		
b. Address:		
c. City:	State:	Zip Code:
d. Telephone (Home <input type="checkbox"/> or Cell <input type="checkbox"/> Please include area code () ()		Telephone Number (Work) ()
e. E-Mail Address:		
Do you prefer to be contacted via this e-mail address? <input type="checkbox"/> Yes <input type="checkbox"/> No		
5. What is your relationship to the person for whom you are filing the complaint?		
6. 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, I have permission. <input type="checkbox"/> No, I do not have permission.		

7. I believe that the discrimination I experienced was based on (check all that apply) <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin (Classes protected by Title VI) <input type="checkbox"/> Other (please specify)		
8. Date of Alleged Discrimination (Month, Day, Year):		
9. Where did the Alleged Discrimination take place?		
10. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>		
11. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>		
12. What type of corrective action would you like to see taken?		
13. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes If yes, check all that apply <input type="checkbox"/> No a. <input type="checkbox"/> Federal Agency (List agency's name) b. <input type="checkbox"/> Federal Court (Please provide location) c. <input type="checkbox"/> State Court d. <input type="checkbox"/> State Agency (Specify Agency) e. <input type="checkbox"/> County Court (Specify Court and County) f. <input type="checkbox"/> Local Agency (Specify Agency)		
14. Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:	Title:	
Agency:	Telephone ()	
Address:		
City:	State:	Zip Code:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date is required:

Signature

Date

If you completed Questions 4, 5 and 6, your signature and date is required.

Signature

Date

Kendall County TITLE VI COMPLAINT PROCEDURES

Title VI of the 1964 Civil Rights Act requires that “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.”

Any person who believes that he/she has been aggrieved by an unlawful discriminatory practice on the basis of race, color or national origin by [insert your agency’s name] may file a complaint by completing and submitting Kendall County the Title VI Complaint form.

How do you file a complaint?

You may download the Kendall County Title VI Complaint Form at <https://www.co.kendall.il.us/>, or request a copy by phone or in writing Kendall County-111 W. Fox Street, Yorkville, IL 60560-(630) 553-4171.

You may file a signed, dated and written complaint no more than 180 days from the date of the alleged incident. The complaint should include:

- Your name, address and telephone number. (See Question 1 of the Complaint Form)
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information. (See Questions 7, 8, 9, and 10 of the Complaint Form)
- The names of any persons, if known, whom the director could contact for clarity of your allegations. (See Question 11 of the Complaint Form)

Please submit your complaint form to address listed below:

**Kendall County Administrator
Kendall County Administrative Services
111 W Fox Street
Yorkville, IL 60560
630-553-4171 (phone)
630-553-4214 (fax)
kcadmin@co.kendall.il.us**

How will your complaint be handled?

Kendall County investigates complaints received no more than 180 days after the alleged incident. Kendall County will process complaints that are complete. Once a completed complaint is received, Kendall County will review it to determine if the county has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint

will be investigated by Kendall County.

Kendall County will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, Kendall County may contact the complainant. Unless a longer period is specified by Kendall County, the complainant will have ten (10) days from the date of the letter to send requested information to the Kendall County investigator assigned to the case.

If Kendall County investigator is not contacted by the complainant or does not receive the additional information within the required timeline, Kendall County may administratively close the case. A case may be administratively closed also if the complainant no longer wishes to pursue their case.

After an investigation is complete, Kendall County will issue a letter to the complainant summarizing the results of the investigation, stating the findings and advising of any corrective action to be taken as a result of the investigation. If a complainant disagrees with Kendall County determination, he/she may request reconsideration by submitting a request in writing to Kendall County Administrator within seven (7) days after the date of Kendall County letter, stating with specificity the basis for the reconsideration. The director [or the appropriate title] will notify the complainant of his decision either to accept or reject the request for reconsideration within 10 days. In cases where reconsideration is granted, the director [or the appropriate title] will issue a determination letter to the complainant upon completion of the reconsideration review.

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 Kendall County at 630-553-4171.

ATTACHMENT C

STAFF LEP SURVEY

Kendall Area Transit is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to the KAT office by 9/17/18.

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? [Circle one]

Daily

Weekly

Monthly

Less frequently than monthly

What languages do these passengers speak? Please list.

What other foreign languages do you understand or speak?

Would you be willing to serve as a translator when needed?

Appendix A: Kendall Area Transit Limited English Proficiency (LEP) Plan

Last Update: 9/18/18

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address Kendall County and the Voluntary Action Center (VAC) of DeKalb County's responsibilities as recipients of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which state that no person shall be subjected to discrimination on the basis of race, color or national origin. Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

Plan Summary

Kendall County is the designated recipient of Federal Transit Administration (FTA) Section 5311 grant funds and partners with VAC through its transportation service to provide origin to destination demand response route services within the Kendall County Area of Illinois. Kendall County and VAC have jointly developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by VAC. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, Kendall County and VAC undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a VAC program, activity or service.
2. The frequency with which LEP persons come in contact with VAC programs, activities or services.
3. The nature and importance of programs, activities or services provided by VAC to the LEP population.
4. The resources available to VAC and overall cost to provide LEP assistance.

A summary of the results of the VAC four-factor analysis is in the following section.

Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a VAC program, activity, or service.

VAC staff reviewed the 2011-2015 American Community Survey of the U.S. Census and determined that a total of 19,171 persons in Kendall County [17.3% of the population]

Speak a language other than English.

In Kendall County, 5,750 persons [30%] have limited English proficiency; that is, they speak English “not well” or “not at all.” The majority of persons with limited English proficiency speak Spanish [12,873 persons, 11.6%] with those speaking other languages representing less than .05% of the population each (see Tables 1 & 2 and Figures 1, 2, & 3, for population and household breakouts).

Table 1. Languages Spoken by Population in the Kendall County Region

Population 5 years and over	Total Population	Percent	English Ability		English Ability (Not Well)
			Well	Not Well	% of Total Population
Population 5 years and over	110,845	100%	105,095	5,750	5.2%
Speak only English	91,674	82.7%	(X)	(X)	(X)
Speak a language other than English	19,171	17.3%	13,421	5,750	30.0%
SPEAK A LANGUAGE OTHER THAN ENGLISH					
Spanish	12,873	11.6%	8,635	4,238	32.9%
Other Indo-European languages	3,417	3.1%	2,779	638	18.7%
Asian and Pacific Island languages	1,927	1.7%	1,313	614	31.9%
Other languages	954	0.9%	694	260	27.3%

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Figure 1. Languages Spoken in Kendall County

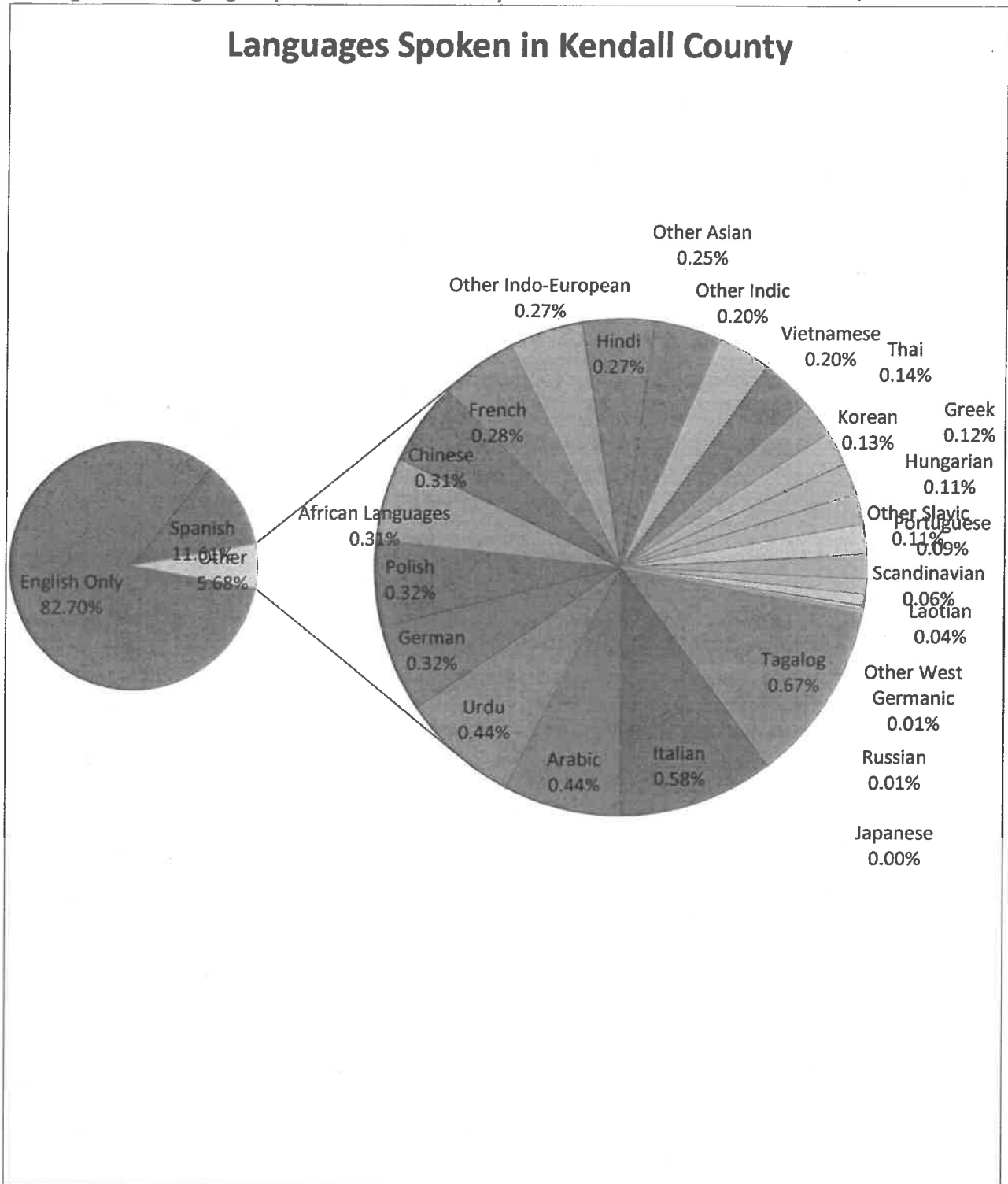
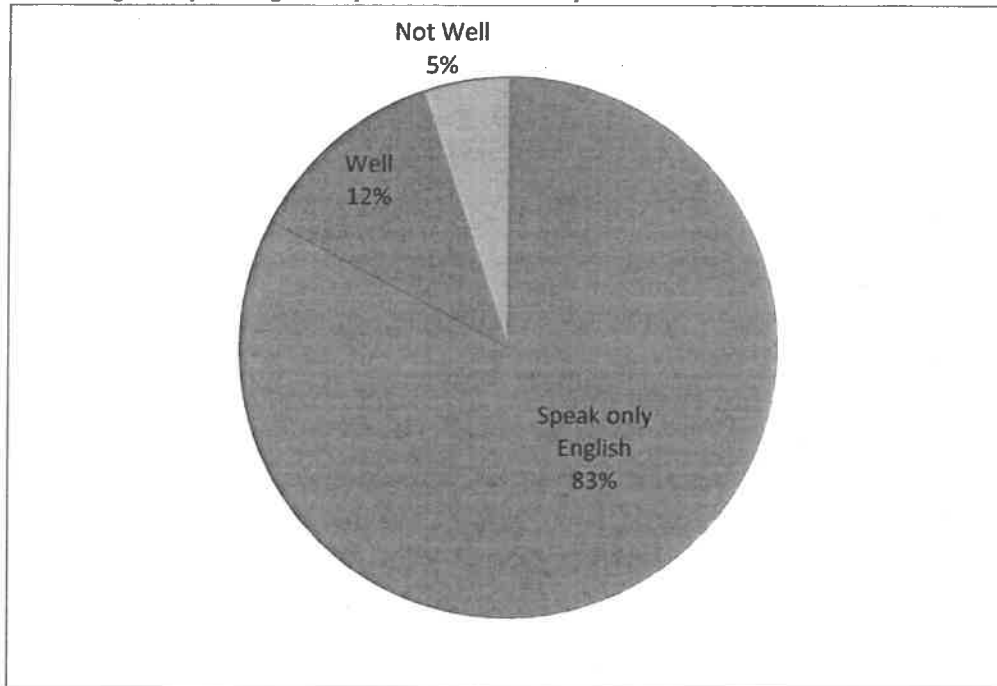


Figure 2. English Speaking ability in Kendall County



2. The frequency with which LEP persons come in contact with VAC-KAT programs, activities or services.

A survey of all VAC drivers, dispatchers, and others who have regular contact with the public was taken to assess how much interaction they have with persons who have limited English proficiency skills. Overall, the survey showed that the average staff member has interactions 2-3 with persons with limited English proficiency about one time a week, representing about five percent (8%) of the average weekly trips VAC provided in 2017. 0% respondents reported never dealing with persons with LEP, 54% reported having interactions at least once a week, and 46% reported occasional interactions (*see Survey Results, page 8*).

Table 2. Linguistically Isolated Households in the Kendall County Region

Q1. On average, how often do you interact with persons with Limited English Skills		
a. Never	0	0%
c. Twice (2) a week	2	13%
d. Three (3) times a week	3	20%
e. Four (4) times a week	1	7%
f. Five (5) times a week	2	13%
g. A few times a month	5	33%
h. Occasionally	2	13%
Q2. On average, please indicate the type of communications that you have, when dealing with persons with LEP?		
a. Person(s) speaks English but difficult to understand		25%
b. Person(s) speaks broken English, but attempts to communicate		65%
c. Person(s) speak no English, speaks entirely in native language		10%
Q3. Estimate the types of languages persons are typically speaking:		
a. Spanish		54%
b. Asian Languages		8%

c. European Languages	8%
d. Indian / Middle Eastern Languages	21%
e. Other Languages	8%

3. The resources available to VAC and overall cost to provide LEP assistance.

VAC assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that VAC could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered. Based on the four-factor analysis, VAC developed its LEP Plan as outlined in the following section.

Limited English Proficiency (LEP) Plan Outline

How VAC and staff may identify an LEP person who needs language assistance:

1. Have Census Bureau Language Identification Flashcards available at VAC meetings. This will assist VAC in identifying language assistance needs for future events and meetings.
2. Have Census Bureau Language Identification Flashcards on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to VAC's management for follow-up.
3. Vehicle operators and other front-line staff, like dispatchers, have been surveyed on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which VAC staff responds to LEP persons, whether in person, by telephone or in writing.

- Network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on VAC programs and services;
- Survey bus drivers and other front-line staff, like dispatchers and service development planners, annually on their experience concerning any contacts with LEP persons during the previous year;
- Provide *Language Identification Flashcards* at the Transit Center, onboard the VAC fleet, in Road Supervisor vehicles and at transit systems administrative offices;
- Post the Kendall County / VAC Title VI Policy and LEP Plan on the agency websites, www.vacdk.com & www.co.kendall.il.us;
- Include language "Spanish a plus" on bus driver recruitment flyers and onboard recruitment posters;
- When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers. A list of volunteers will need to be developed.

Staff Training

The following training will be provided to VAC staff:

1. Information on the VAC Title VI Procedures and LEP responsibilities
2. Description of language assistance services offered to the public
3. Use of Language Identification Flashcards
4. Documentation of language assistance requests
5. Use of Language line service

6. How to handle a potential Title VI/LEP complaint

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed.

Monitoring and Updating the LEP Plan

VAC will update the LEP as required by U.S. DOT. At minimum, the plan will be reviewed and updated when once American Community Survey 5-year data is available based on 2015 U.S. Census figures, or when it is clear that higher concentrations of LEP individuals are present in the VAC service area.

Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether VAC's financial resources are sufficient to fund language assistance resources needed
- Determine whether VAC has fully complied with the goals of this LEP Plan
- Determine whether complaints have been received concerning VAC's failure to meet the needs of LEP individuals

Dissemination of the VAC LEP Plan

A link to the VAC LEP Plan and the Title VI Procedures is to be included on the VAC website at www.kendallareatranist.com and the Kendall County website at www.co.kendall.il.us/kendall-area-transit. Any person or agency with internet access will be able to access and download the plan from the VAC website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which VAC will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the VAC-KAT Program Director or the Kendall County Coordinator:

Kendall Area Transit (C/O VAC)
Attn: Mike Neuenkirchen
109 W. Ridge St.
Yorkville, IL, 60560

Phone: (630)-882-6970
Email: mneuenkirchen@co.kendall.il.us (Mike Neuenkirchen, Program Director)

Kendall County Administrative Office
Attn: Latreese Caldwell
111 West Fox Street
Yorkville, IL 60560

Phone: (630) 553-4171
Email: lcaldwell@co.kendall.il.us (Latreese Caldwell, PCOM, Deputy County Administrator)

VAC-Kendall County Limited English Proficiency Survey: Results

***Total Number of Responses: 15**

On average, how often do you interact with persons with Limited English Skills (LEP)	Never	0	0%
	Twice (2) a week	2	13%
	Three (3) times a week	3	20%
	Four (4) times a week	1	7%
	Five (5) times a week	2	13%
	A few times a month	5	33%
	Occasionally	2	13%
On average, please indicate the type of communications that you have, when dealing with persons with LEP?	Person(s) speaks English but difficult to understand	5	25%
	Person(s) speaks Broken English, but attempts to communicate	13	65%
	Person(s) speak no English, speaks entirely in native language	2	10%
Estimate the types of languages persons are typically speaking:	Spanish	13	54%
	Asian Languages	2	8%
	European Languages	2	8%
	Indian / Middle Eastern Languages	5	21%
	Other Languages	2	8%