



TITLE VI PLAN

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Title VI Policy Statement

The Arc of San Diego Title VI Plan assures full compliance with Title VI of the Civil Rights Act of 1964, the Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and related statutes and regulations in all programs and activities. Title VI states that, “no person shall on the grounds of race, color, national origin, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination” under any government sponsored program or activity.

The Arc of San Diego assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low income populations. Furthermore, The Arc of San Diego will take reasonable steps to provide meaningful access to services for individuals with limited English proficiency.



Notice of Public Rights

The Arc of San Diego operates its programs without regard to age, gender, disability, income status, race, color, and national origin in accordance with Title VI of the Civil Rights Act and other applicable federal and state laws prohibiting discrimination on publicly funded projects. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with The Arc of San Diego.

For more information on The Arc of San Diego's civil rights program, and the obligations and procedures to file a complaint, contact (619) 685-1175; email info@arc-sd.com; or visit our administrative office at 3030 Market Street, San Diego, CA 92102. For more information, visit www.arc-sd.com.

If information is needed in another language, contact (619) 685-1175.

Si desea obtener información en español por favor contacte a Nadia Garcia, (619) 685-1175, ext. 224 o NGarcia@arc-sd.com.

This notice is posted on The Arc of San Diego's website www.arc-sd.com/titlevi, in Administrative Office lobby, Food Service Program's office at the Marine Corps Recruit Depot, and Food Service Program Transit Vehicles.



Aviso de Derechos Públicos

The Arc of San Diego opera sus programas sin tomar en cuenta edad, género, discapacidad, estado de ingresos, raza, color y origen nacional de acuerdo con el Título VI de la Ley de Derechos Civiles y otras leyes federales y estatales que prohíben la discriminación en proyectos financiados con fondos públicos. Cualquier persona que crea que ella o él ha sido perjudicada por alguna práctica discriminatoria ilegal puede presentar una queja ante The Arc of San Diego.

Para obtener más información sobre el programa de derechos civiles de The Arc of San Diego y las obligaciones y procedimientos para presentar una queja, comuníquese con (619) 685-1175; correo electrónico info@arc-sd.com; o visite nuestra oficina administrativa en 3030 Market Street, San Diego, CA 92102. Para obtener más información, visite www.arc-sd.com.

Si necesita información en otro idioma, comuníquese con (619) 685-1175.

Si desea obtener información en español por favor contacte a Nadia Garcia, (619) 685-1175, ext. 224 o NGarcia@arc-sd.com.

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Discrimination Complaint Procedures

1. **Applicability.** The following complaint procedures are applicable to all persons who believe that they have been subject to discrimination by The Arc of San Diego related to Specialized Transportation Grant Program - Federal Transit Administration (FTA) Section 5310, which is funded in whole or in part by SANDAG. In general, it is designed to address disputes, including but not limited to the following:

1.1 Disagreements regarding a requested service, accommodation, or modification of a The Arc of San Diego practice or requirement.

1.2 Inaccessibility of a program, publication, or activity.

1.3 Harassment or discrimination prohibited by California or federal law.

2. **Preliminary Review Process.** The following process must be completed prior to filing a Formal Complaint with SANDAG.

2.1 **Informal Resolution** - Prior to submitting a formal complaint, the complaining party shall contact President & Chief Executive Officer for assistance in resolving the matter informally as soon as is practical, generally within 15 calendar days of the time from when the subject of the complaint occurred or the complaining party became aware of The Arc of San Diego's alleged non-compliance with state or federal non-discrimination laws.

The President & Chief Executive Officer can be reached at 3030 Market Street San Diego, CA 92102; 619-685-1175.

The Arc of San Diego will notify SANDAG of the complaint within 72 hours of receiving the complaint and record the complaint and steps taken toward resolution. The Arc of San Diego is responsible for informing the complaining party about The Arc of San Diego's complaint procedure, including the opportunity to file a formal complaint with SANDAG and/or the Federal Transit Administration (FTA) as described below.

2.2 **Report of Results to SANDAG and Complaining Party,** The Arc of San Diego will email or mail SANDAG and the complaining party the results of the informal resolution process within 30 calendar days of receiving the complaint. If the complaining party is not satisfied with The Arc of San Diego's disposition of the matter, the complaining party may file a formal complaint with SANDAG following the procedure described below.

3. **Formal Complaint.** If the procedure for Preliminary Review and informal resolution by The Arc of San Diego does not yield a successful resolution, then the complaining party may file a formal, written complaint with SANDAG in the manner described below. SANDAG materials can be made available in

alternative languages. To make a request, call (619) 699-1900. Los materiales de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900

3.1 Complaints must be filed within ten (10) calendar days of the complaining party's receipt of notice of the end of the Preliminary Review process described above.

3.2 Complaints must be in writing and must include an attached copy of any correspondence concerning the complaint with The Arc of San Diego.

3.3 Complaints must be filed with the SANDAG Title VI Compliance Officer at 401 B Street, Suite 800, San Diego, CA 92101; Fax number (619) 699-1995; TTY (619) 699-1904.

3.4 Investigation – The SANDAG Title VI Compliance Officer will initiate an investigation, which may include interviewing, consulting with, and/or requesting a written response to the issues raised in the complaint from any individual the SANDAG Title VI Compliance Officer believes to have relevant information, including the ADA Compliance Officer, The Arc of San Diego staff and members of the public. SANDAG may also hold an informal hearing.

3.5 Review Panel – The SANDAG Title VI Compliance Officer will convene a review panel that will consist of the Title VI Compliance Officer, the ADA Compliance Officer if applicable, a member of the SANDAG management staff, the Chief Deputy Executive Director (or designee), and (depending on the issues) other personnel as may be appropriate. This panel will review the request, investigate, and attempt to resolve the issues within 30 calendar days of receipt by SANDAG of the complaint.

3.6 Representation - The complaining party, and any party against whom the complaint is directed, have the right to have a representative.

3.7 Findings and Notification - The SANDAG Title VI Compliance Officer and/or ADA Compliance Officer will prepare and provide the complaining party, and all other parties involved, a final report containing a summary of the investigation, written findings, and a proposed disposition. This report will be provided to the complaining party and The Arc of San Diego within 45 calendar days of the filing of the formal complaint.

3.8 Final Disposition - The disposition proposed by the review panel will be put into effect promptly. The complaining party or any party against whom the complaint or the proposed disposition is directed may appeal. The appeal to the Executive Director (as set forth below) will not suspend the implementation of the disposition proposed by the SANDAG review panel, except in those circumstances where the SANDAG Executive Director decides that good cause exists making the suspension of implementation appropriate.

4. Appeal

4.1 Within 10 calendar days of the issuance of the final report, the complaining party may appeal to the SANDAG Executive Director.

4.2 An appeal is taken by filing a written request for review by the SANDAG Executive Director.

4.3 The written request for review must specify the particular substantive, and/or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the proposed disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the complaint procedure itself, and not to new issues.

4.4 The review by the Executive Director or his or her designee normally shall be limited to the following considerations: Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear on the decision that substantially affected the decision to the detriment of the complaining party? Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the complaining party? Given proper facts, criteria, and procedure, was the decision one that a person in the position of the decision-maker might reasonably have made?

4.5 A copy of the Executive Director's written decision will be expected within 30 calendar days of the filing of the appeal and shall be sent to all parties involved and, if appropriate, to persons whose authority will be needed to carry out the disposition. The deadline may be extended by the Executive Director for good cause. The decision of the Executive Director on the appeal will be SANDAG's final decision.

5. File with the FTA. Any person who believes himself or herself or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the FTA. A complaint should be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA. Title VI complaints regarding federally funded programs at The Arc of San Diego can be sent to the applicable funding agency below:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590



Formulario para procedimientos de reclamos por discriminación

1. Aplicabilidad. Los siguientes procedimientos de reclamos son pertinentes a todas las personas que consideren que han sido sujetas a discriminación por The Arc of San Diego con relación a Especializada Transportación Gran Programa-Federal Transita Administración, (San Diego Asociación of Jovenmente, SANDAG), que es financiado total o parcialmente por SANDAG. En general, está diseñado para tratar disputas, incluidas, entre otras, las siguientes:

1.1 Desacuerdos en relación con un servicio solicitado, sitio o modificación de una práctica o requisito de The Arc of San Diego.

1.2 Falta de accesibilidad a un programa, publicación o actividad.

1.3 Acoso o discriminación prohibidos según la ley de California o la ley federal.

2. Proceso de revisión preliminar. El siguiente proceso debe completarse antes de presentar un reclamo formal ante SANDAG.

2.1 Resolución informal: antes de presentar un reclamo formal, la parte demandante deberá comunicarse el Presidente y Director Ejecutivo para obtener asistencia en la resolución del asunto de manera informal tan pronto como sea práctico, por lo general, dentro de un plazo de quince (15) días calendario a partir de la fecha en que el asunto del reclamo ocurrió o la parte demandante tuvo conocimiento de la presunta falta de cumplimiento por parte de The Arc of San Diego en relación con las leyes estatales o federales contra la discriminación. El Presidente y Director Ejecutivo puede ser contactado en 3030 Market St San Diego, CA 92102 al 619-685-1175.

The Arc of San Diego le notificará a SANDAG sobre el reclamo dentro de un plazo de setenta y dos (72) horas a partir de su recepción y lo registrará junto con los pasos que se tomaron para su resolución. The Arc of San Diego es responsable de informarle a la parte demandante sobre el procedimiento de reclamos de The Arc of San Diego, incluida la oportunidad para presentar un reclamo formal ante SANDAG o la Administración Federal de Transporte Público (Federal Transita Administración, FTA) de la manera que se describe a continuación.

2.2 Informe de los resultados a SANDAG y a la parte demandante: The Arc of San Diego le enviará a SANDAG y a la parte demandante, a través de correo electrónico o correspondencia, los resultados del proceso de resolución informal dentro de un plazo de treinta (30) días calendario a partir de la recepción del reclamo. Si la parte demandante no está satisfecha con la disposición de The Arc of San Diego con relación al asunto, la parte demandante podrá presentar un reclamo formal ante SANDAG según el procedimiento que se describe a continuación.

3. Reclamo formal. Si el procedimiento de revisión preliminar y resolución informal de The Arc of San Diego no produce una resolución satisfactoria, la parte demandante podrá presentar un reclamo formal

por escrito ante SANDAG de la manera que se describe a continuación. Los materiales de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900.

3.1 Los reclamos deben presentarse dentro de un plazo de diez (10) días calendario a partir de la fecha en que la parte demandante reciba el aviso de finalización del proceso de revisión preliminar descrito anteriormente.

3.2 Los reclamos deben presentarse por escrito y deben incluir una copia de cualquier correspondencia con relación al reclamo a The Arc of San Diego.

3.3 Los reclamos deben presentarse ante el Oficial de Cumplimiento del Título VI de SANDAG en 401 B Street, Suite 800, San Diego, CA 92101; número de fax (619) 699-1995; TTY (619) 699-1904.

3.4 Investigación: el Oficial de Cumplimiento del Título VI de SANDAG iniciará una investigación, que podrá incluir entrevistar, consultar o solicitar una respuesta por escrito sobre los temas que surgieron en el reclamo a cualquier individuo que el Oficial de Cumplimiento del Título VI de SANDAG considere que tenga información relevante, incluido el Oficial de Cumplimiento de la Ley sobre Estadounidenses con Discapacidades (Americanos con discapacidades Act, ADA), personal de The Arc of San Diego y miembros del público. SANDAG también podrá sostener una audiencia informal.

3.5 Panel de revisión: el Oficial de Cumplimiento del Título VI de SANDAG convocará a un panel de revisión que estará compuesto por el Oficial de Cumplimiento del Título VI de SANDAG, el Oficial de Cumplimiento de la ADA, si corresponde, un miembro del personal de administración de SANDAG, el Director Ejecutivo Adjunto (o su designado) y (dependiendo de los temas) cualquier otro personal, según sea necesario. Este panel revisará la solicitud, investigará e intentará resolver los temas dentro de un plazo de treinta (30) días calendario a partir de que SANDAG reciba el reclamo.

3.6 Representación: la parte demandante y cualquier otra parte a quien esté dirigido el reclamo tendrán derecho a tener un representante.

3.7 Conclusiones y notificación: el Oficial de Cumplimiento del Título VI de SANDAG o el Oficial de Cumplimiento de la ADA preparará y le suministrará a la parte demandante, y a todas las otras partes involucradas, un informe final que contenga un resumen de la investigación, conclusiones por escrito y una disposición propuesta. Este informe se le suministrará a la parte demandante y a The Arc of San Diego dentro de un plazo de cuarenta y cinco (45) días calendario a partir de la presentación del reclamo formal.

3.8 Disposición final: la disposición propuesta por el panel de revisión entrará en vigencia de inmediato. La parte demandante o cualquier otra parte a quien esté dirigido el reclamo o la disposición propuesta podrán apelar. La apelación ante el Director Ejecutivo (como se establece a continuación) no suspenderá la implementación de la disposición propuesta por el panel de revisión de SANDAG, excepto en aquellas circunstancias en las cuales el Director Ejecutivo de SANDAG decida que existe un motivo suficiente para que corresponda la suspensión de la implementación.

4. Apelación

4.1 Dentro de un plazo de diez (10) días calendario a partir de la emisión del informe final, la parte demandante podrá apelar ante el Director Ejecutivo de SANDAG.

4.2 Para que se acepte una apelación, debe presentarse una solicitud de revisión por escrito ante el Director Ejecutivo de SANDAG.

4.3 La solicitud de revisión por escrito debe especificar la base particular fundamental, procesal o ambas, de la apelación y debe efectuarse por motivos que no sean la insatisfacción general con la disposición propuesta. Además, la apelación debe estar dirigida solo a los temas planteados en el reclamo formal presentado o a los errores procesales en la gestión del procedimiento de reclamo, y no a temas nuevos.

4.4 La revisión del Director Ejecutivo o su persona designada normalmente deberá limitarse a las siguientes consideraciones: ¿Influyeron los hechos y criterios correctos sobre la decisión? ¿Influyeron fundamentalmente hechos o criterios incorrectos o irrelevantes sobre la decisión en perjuicio de la parte demandante? ¿Hubo alguna irregularidad procesal que influyó fundamentalmente sobre el resultado de la cuestión en perjuicio de la parte demandante? Dados los hechos, los criterios y el procedimiento correcto, ¿fue esta la decisión que hubiese tomado razonablemente una persona responsable de tomar decisiones?

4.5 Se espera una copia de la decisión por escrito del Director Ejecutivo dentro de un plazo de treinta (30) días calendario a partir de la presentación de la apelación, la cual se enviará a todas las partes involucradas y, si corresponde, a las personas cuya autoridad será necesaria para llevar a cabo la disposición. El Director Ejecutivo podrá extender el plazo por un motivo justificado. La decisión del Director Ejecutivo sobre la apelación será la decisión definitiva de SANDAG.

5. Presentación de un reclamo ante la FTA. Cualquier persona que considere que ella misma, o cualquier clase específica de personas esté sometida a la discriminación prohibida bajo el Título VI, también podrá presentar un reclamo por escrito ante la FTA. Un reclamo debe presentarse antes de los 180 días a partir de la fecha de la presunta discriminación, a menos que la FTA extienda el plazo de presentación. Los reclamos del Título VI con relación a programas con financiamiento federal en The Arc of San Diego podrán enviarse a la agencia de financiamiento que corresponda a:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590



Discrimination Complaint Form

Instructions: If you believe The Arc of San Diego has engaged in discrimination against one or more persons relating to its Specialized Transportation Grant Program- Federal Transit Administration (FTA) and you have already attempted to informally resolve your complaint with The Arc of San Diego without success, please fill out this form completely, in black ink or type-written form. Sign and return to the address below. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request to SANDAG.

SANDAG materials can be made available in alternative languages. To make a request, call (619) 699-1900.

Los materiales de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900.

Complainant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: Home: _____ Business: _____

When did the discrimination occur? _____ Date: _____

Describe the acts of discrimination providing the name(s) where possible of the individuals who were responsible for the discriminatory acts (attach additional pages if necessary):

Return to:

Title VI Coordinator

SANDAG

401 B Street, Suite 800

San Diego, CA 92101

Phone: 619-699-1900; Fax: 619-699-1995; TTY 619-699-1904



Discrimination Complaint Form

Instrucciones: Si considera que The Arc of San Diego cometió discriminación en contra de una o más personas con relación a su Specialized Transportation Grant Program – Federal Transit Administration (FTA) Section 5310 ya intentó resolver su reclamo de manera informal con The Arc of San Diego sin tener éxito, por favor, complete en su totalidad este formulario con tinta negra o a máquina. Fírmelo y devuélvalo a la dirección que se indica a continuación. Varios medios para presentar reclamos, como por ejemplo entrevistas personales o una grabación del reclamo, estarán disponibles para las personas con discapacidades, con la previa petición a SANDAG.

Los materiales de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900.

Demandante: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: Residencia: _____ Trabajo: _____

¿Cuándo ocurrió el acto de discriminación? Fecha: _____

Describa los actos de discriminación, suministrando el/los nombre(s), de ser posible, de los individuos responsables de los actos discriminatorios (anexe páginas adicionales de ser necesario):

Devuélvalo a:
Title VI Coordinator
SANDAG
401 B Street, Suite 800
San Diego, CA 92101
Teléfono: 619-699-1900; Fax: 619-699-1995; TTY 619-699-1904



Transit Related Title VI Investigations, Complaints, and Lawsuits

Record and Report of Discrimination Investigations, Complaints and Lawsuits Related to The Arc of San Diego’s Specialized Transportation Grant Program – Federal Transit Administration (FTA) Section 5310

Please fill out the table below completely. This list shall include the date that the lawsuit was filed or complaint was made; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by your organization in response, or final findings related to, the investigation, lawsuit, or complaint. Please attach additional pages if necessary. Your organization is required to keep this record up to date and available for inspection by SANDAG upon request.

Date Filed	Summary of Allegations	Status	Actions Taken/ Final Findings



PUBLIC PARTICIPATION PLAN

INTRODUCTION

The Arc of San Diego continually assesses the quality of its services and measures the impact of its programs and services to ensure that it is providing valuable services to the clients and stakeholders. The Arc's public outreach efforts are guided by the Board of Director's policy that The Arc establish and facilitate a process for the community to provide input concerning the organization, its programs and service. A formal public participation plan to direct this effort is a vital part of the process.

The Arc's Public Participation Plan Policy (PPP) was updated in September 2019 and contains information regarding the agency as a whole and is not limited to the population served through SANDAG's 5310 funding.

CREATING A PUBLIC PARTICIPATION PLAN

The Arc of San Diego is committed to providing opportunities for meaningful participation so that everyone can provide valuable input and feedback in The Arc of San Diego's services, programs, and policies. The Arc offers clear and transparent planning that is open to the public, to stakeholders and clients.

The Public Participation Plan (PPP) was developed by a number of staff members and leadership of The Arc of San Diego to ensure that the following vital elements of the PPP were included:

- Information regarding the opportunity for public participation is posted to accommodate a wide range of community members.
- Public participation is facilitated by offering public meetings at a wide variety of times, dates and locations throughout the San Diego County.
- Meetings vary by size, location and formats (large and small group meetings or online forums where public input is invited).
- Notices regarding public meetings are published online and via email at least 72 hours in advance.
- All meeting locations are fully ADA compliant and accommodate individuals with a wide range of disabilities.
- All meetings are located at sites that are extremely accessible to public transportation.

AUDIENCE

The Arc of San Diego is the largest, most comprehensive provider of services to people with disabilities in the San Diego region. The Arc is a frontline service provider that offers a broad range of programs that serves people with intellectual, developmental, and physical disabilities including autism, down syndrome, cerebral palsy, many who have multiple disabilities, those who are wheelchair bound, suffer from various genetic syndromes, and are in extremely fragile health.

The Arc of San Diego solicits input from its clients on a regular basis. Because the Arc is solely invested in serving people with disabilities, we prioritize their input as the most important.

Clients we serve are interviewed and submit satisfaction surveys on a 30-day 90-day and 12-month basis where input is requested on a variety of topics including transportation and mobility challenges.

The general public is also invited to provide public input including individuals, interfaith groups, civic organizations, agency partners, advocacy groups that represent the needs of the traditionally underserved and underrepresented - including low income individuals, minorities, those with limited English proficiency, youth, the elderly and in particular people with disabilities served by The Arc.

Each stakeholder offers their unique perspective on what it means to be mobile, and each also presents specific transportation needs and challenges important to consider. The diversity of these needs are weighed prior to The Arc's rendering of decisions regarding its transportation services.

PUBLIC PARTICIPATION PLAN OUTREACH AND IMPLEMENTATION

Effective public outreach and involvement requires relationship building with local governments, stakeholders and advisory groups. The Arc invites public participation that is distributed through a broad number of outlets to accommodate as many partner voices as possible.

- Hard copy mail
- Email
- Website
- Press releases
- Social Media, (Facebook, Twitter, Instagram)
- E-newsletters (distribution of over 3,000)
- Printed Newsletter (distribution of 2,500)
- Google Ads
- Clients, caregivers and families.
- Bilingual services through Arc staff

Additionally, The Arc of San Diego collaborates with a number of major agencies and institutions who are regularly invited to provide input regarding its services and programs.

These include:

San Diego Unified School District: The second largest district in California. The School District serves over 105,793 students who attend 117 elementary schools, 24 middle schools, 22 high schools, 13 Alternative schools and 5 program sites.

Community Colleges: Grossmont, Southwestern, San Diego Community College District, and San Marcos colleges. The Arc distributes information through interns as well as generally to these community colleges.

San Diego Regional Center: The San Diego Regional Center provides a variety of services to persons with developmental disabilities, their families, and the community. The Regional Center refers people with disabilities to The Arc of San Diego who may benefit by participating many of in The Arc programs.

San Diego Workforce Partnership: Partners with The Arc of San Diego to increase economic opportunities for individuals with disabilities through collaboration working with businesses and support agencies throughout the region.

California Department of Rehabilitation (DOR): The California Department of Rehabilitation (DOR) works in partnership with clients and other stakeholders to provide services and advocacy resulting in employment, independent living, and equality for individuals with disabilities.

Stakeholder agencies that serve the same population: Over 15 major institutions that provide similar services to people and caregivers including agencies that provide day programs, adult development centers, adult residential facilities, other agencies that provide mobility and transportation, service providers that provide residential, recreation, various therapeutic services, and mental and physical health services, training and employment placement services for people with disabilities.

Community Outreach: The Arc participates in over 30 public events annually where we invite public participation and public comment opportunities. These events are held throughout San Diego County at various times, venues and regions of the county. These community outreach events provide an effective medium to educate and solicit public feedback on current services.

For information or notices on meetings, workshops, and other public involvement opportunities, visit, sign up for our e-newsletter, connect with The Arc of San Diego on Facebook, Twitter, or YouTube, or contact us at (619) 685-1175 or at info@arc-sd.com



LANGUAGE ASSISTANCE PLAN

(Providing Meaningful Access To Limited English Proficiency Persons)

The Arc of San Diego is committed to ensuring that no person is excluded from participation in, denied the benefits of, or discriminated against under its projects, programs or activities on the basis of race, color, creed, national origin, sex, age, or disability as provided in Title VI of the Civil Rights Act, the Americans with Disabilities Act, and 49 United States Code Section 5332. Related to the national origin component of Title VI, The Arc of San Diego provides equal access to programs, services and activities to individuals with limited English proficiency (LEP).

LEP Guidance specifies an individualized assessment that balances a Four-Factor Analysis to determine what reasonable steps should be taken by The Arc of San Diego to ensure meaningful access by LEP persons. This Four-Factor Analysis considers the following:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered in the eligible service population.

Factor 2: The frequency with which LEP persons come in contact with The Arc's programs, activities or services.

Factor 3: The nature and importance to LEP persons' lives of The Arc of San Diego's programs, activities and services.

Factor 4: The resources available to The Arc and overall cost to provide language assistance.

IDENTIFYING LEP INDIVIDUALS

Following Factor 1 United States Department of Transportation (U.S. DOT) Guidance additional sources including the US Census American Community Survey (ACS), were used to determine the number of LEP individuals in San Diego County. According to these findings, more than 230,000 people five years or older speak English less than well.

The Factor 1 analysis includes an assessment of the number or proportion of LEP persons in San Diego County and is summarized for Task 1 of this report. Based on the examples included in the federal guidance, The Arc chooses to define LEP persons as those individuals who either speak English "not well" or "not at all."

The Arc of San Diego has adopted the figures provided by the SANDAG analysis which includes only one county (San Diego County) which simplified some of the data analysis. There were several key findings:

- More than 700,000 persons, or 23.4 percent of the San Diego region, are foreign born;
- 38 percent of persons in San Diego County speak a language other than English at home, 16 percent of the County’s population speak English less than “very well” (includes those that speak English “well”, “not well” and “not at all”)
- 8.05 percent speak English less than “well” (includes those that speak English “not well” and “not at all”)
- Spanish is the second most predominant language, spoken in the region
- Of the languages spoken in the region, 15 are spoken by more than 1,000 LEP persons

Figures for limited English proficient persons have remained consistent with figures from the Factor 1 report completed by SANDAG in 2012 and are used by The Arc of San Diego, per direction of SANDAG staff.

Table 1
County of San Source: 2013 ACS 3-year Public Use Microdata Sample (PUMS)

Language	Number of LEP Population	Percent of All LEP Speakers	Percent of Total Population (Ages Five +)
Spanish	174,923	73.1%	5.89%
Vietnamese	15,723	6.6%	0.53%
Tagalog	9,140	3.8%	0.31%
Chinese	5,857	2.4%	0.20%
Arabic	5,592	2.3%	0.19%
Korean	3,464	1.4%	0.12%
Syrian	2,730	1.1%	0.09%
Persian	2,252	0.9%	0.08%
Russian	1,651	0.7%	0.06%
Mandarin	1,518	0.6%	0.05%
Japanese	1,477	0.6%	0.05%
Laotian	1,467	0.6%	0.05%
Cantonese	1,118	0.5%	0.04%
Cushite	1,115	0.5%	0.04%
Hindi	1,046	0.4%	0.04%

The SANDAG analysis directly correlates with The Arc of San Diego County’s population analysis since both agencies serve one county (San Diego County) which simplified some of the data analysis.

Table 2
English Proficiency for the San Diego Region Percentage
Source: 2013 ACS 3-Year Estimates, Table B16004

County	Total Population Age 5 and Older	Speaks English Only	Speaks English		
			"Well" or "Very Well"	Less Than "Well"	Less than "Well"
San Diego	2,966,752	1,848,070	879,874	238,808	8.05%

Table 3*

The data shown in Table 3 (below) also is available for four language types: Spanish, Indo-European, Asian or Pacific Islander, and other languages. Source: 2013 ACS 3-Year Estimates, Table B16011

English Proficiency	Spanish		Indo-European		Asian or Pacific Islander		Other Languages	
	Population	% Total Population	Population	% Total Population	Population	% Total Population	Population	% Total Population
Speak English "Very Well"	416,815	14.05%	68,165	2.30%	127,453	4.30%	25,919	0.87%
Speak English "Well"	146,495	4.94%	16,382	0.55%	66,170	2.23%	12,475	0.42%
Limited English Proficient								
Speak English "Not Well"	119,119	4.02%	7,541	0.25%	36,096	1.22%	7,751	0.26%
Speak English "Not at All"	54,265	1.83%	2,231	0.08%	8,251	0.28%	3,554	0.12%
LEP Subtotal	173,384	5.84%	9,772	0.33%	44,347	1.49%	11,305	0.38%
Total	736,694	24.83%	94,319	3.18%	237,970	8.02%	49,699	1.68%

*The American Community Survey (ACS) data includes information about languages spoken by 39 different language groups.

Table 4
Languages Spoken at Home in the San Diego Region

Source: 2013 ACS 3-Year Estimates, Table B16001

Language	Language Spoken at Home for the Population Age Five +	Percent of Total Population
Spanish or Spanish Creole	736,694	24.83%
Tagalog	93,144	3.14%
Vietnamese	44,925	1.51%
Chinese	40,228	1.36%
Arabic	21,794	0.73%
All Other Languages	181,897	6.13%

Table 4 shows the top five non-English languages spoken at home in the San Diego region based on data collected from 2011 through 2013 among the total population ages five and older (including both LEP and non-LEP populations). While there were respondents from all 39 language groups, Spanish or Spanish Creole, Tagalog, Vietnamese, Chinese, and Arabic were the primary languages. Compared to the 2012 analysis, these figures represent a slight increase for groups speaking Vietnamese and Arabic at home and slight decreases for Spanish or Spanish Creole, Tagalog, and Chinese.

Factor 1 analysis findings indicate that eight percent of the population speak English less than well. The top four languages spoken other than English are Spanish (5.89 percent of the total population), Vietnamese (0.53 percent), Tagalog (0.31 percent), and Chinese (0.20 percent). Combined, these four languages cover 86 percent of the LEP [Limited-English Proficient] population in San Diego.

Through analysis conducted in Factor 1, The Arc of San Diego has determined that Spanish is the only language to meet its language translation threshold requirements of 5% or greater. Therefore, the majority of translation services and materials are provided in Spanish.

To ensure equal access to LEP individuals, The Arc of San Diego will translate all vital documents into Spanish including the Title VI Notice, Title VI Complaint Procedures, and Rights under Title VI. This information is posted at www.arc-sd.com/titlevi.

Factor 2: The frequency with which LEP persons come in contact with The Arc’s programs, activities or services.

The Arc’s contact with LEP individuals is limited to people with disabilities and are the client base of The Arc of San Diego. LEP is determined by initial intake forms where language preference is disclosed by the client or the caregiver.

Based on information on our intake forms, LEP individuals participating in The Arc programs is 15.3% of the total population we serve. By primary language spoken, participants are broken out as follows:

- 12% Spanish
- 1.4% Tagalog
- 1.9% Other (various other languages)

Of these LEP participants, The Arc is in contact with them on a daily or weekly basis. Therefore, protocols to serve them have already been well established.

The Arc of San Diego provides the following language assistance services for Spanish:

- Spanish speaking staff and case managers provide onsite translation services when and where required. The Arc has bi-lingual staff that are readily available during the hours of The Arc of San Diego's operation.
- The Arc of San Diego's participant handbook, brochures, and other written materials are available in Spanish.
- The Arc of San Diego's Title VI Notice of Public Rights, Discrimination Complaint Procedures, and Discrimination Complaint form are available in Spanish.
- The Arc of San Diego's website content can be translated into Spanish.
- The San Diego Regional Center and the California Department of Rehabilitation take a proactive part in providing interpretive services as needed on an individual basis to all Arc clients needing translation support in Spanish.

The Arc of San Diego provides the following language assistance services for Tagalog and other languages:

- The Arc of San Diego's website content can be translated into Tagalog and other languages.
- The San Diego Regional Center and the California Department of Rehabilitation take a proactive part in providing interpretive services as needed on an individual basis to all Arc clients needing translation support in Tagalog and other language.

Further, advocacy on behalf of people with disabilities is needed and a part of each client's life. Therefore family, friends and caregivers may also require language assistance to communicate

with Arc staff. When client advocates need language assistance, they are fully accommodated to the same degree by staff or volunteer translators and through translation of relevant written materials.

Translation services can be requested at any time by clients. Further review of translation needs are addressed at clients' 30-day, 90-day, and annual review with staff and other service delivery partners.

Factor 3: The nature and importance to LEP persons' lives of The Arc of San Diego's programs, activities and services.

The Arc counts it a success when a person with disabilities is able to be self-sufficient and live in the neighborhood of their choosing. When this outcome is achieved it is an indicator that we have been true to our mission to empower our clients to fulfill their life goals. The Arc of San Diego adheres to a core value that all people regardless of ability should have the freedom to pursue self-determination. This philosophy drives The Arc of San Diego to help our clients achieve and maintain:

1. Opportunities to advocate for themselves with the assurance that their desires, interests, and preferences will be respected and honored.
2. Opportunities to acquire and use skills and knowledge which better enable them to exercise choice.
3. Take the lead in decision-making about all aspects of their lives.
4. The option to self-direct their own supports and services and allocate available resources.
5. The right to representation and meaningful involvement in policy-making at the federal, state, and local levels.

To go the extra mile The Arc of San Diego regularly hires consultants and specialists such as physical therapists, psychologists and experts in adaptive technology. The Arc has approximately 1,000 staff. All of whom are dedicated to our policies, goals and mission statement.

However, The Arc's stated purposes become moot unless we can meet the constant need to transport our clients into the community. Transportation makes a profoundly positive difference.

For Arc clients, transportation is literally a lifeline that connects people with disabilities to society, to their places of employment, to socialization, to culturally meaningful events, to the fostering and maintaining of family relationships and to their own self-determination and independence. It is the transcendent need that, when fulfilled allows them to experience full inclusion and equity in the community.

Like everyone, people with disabilities yearn to be included and be part of this "inclusion" philosophy. They want to be and valued and appreciated as an active member of the community. But this cannot happen if they are segregated from society or restricted in their mobility. Disability is a key facet of diversity, and once people with disabilities are welcomed into a community, they can make meaningful contributions. Programs that are facilitated by accessible transportation is more important than one can imagine.

Factor 4: The resources available to The Arc and overall cost to provide language assistance.

The following outlines specific resources to provide language assistance by those that frequently participate with The Arc.

Written Language Assistance Bilingual or multilingual materials:

- The Arc of San Diego's Website utilizing Google Translate has the capacity to be translated into 103 languages
- As resources become available and materials are updated, more and more pictographs are will be used in stations and in vehicles
- Flyers and brochures
- Intake forms and participant handbooks

Oral language Assistance:

- On-call translation services
- Contracting for interpreters on an "as needed" basis
- Using community volunteers to interpret information
- Using bilingual staff to interpret information on an "as needed" basis

The nature of The Arc's services requires large ratio of staff to client. In many cases, The Arc provides staff on a 1:3 or 1:5 ratio. Therefore, attention to specific needs and challenges of our clients is on the forefront of all our programs. Demographic information is maintained in electronic records and is shared online throughout all Arc client centers. Because the information is instantly available, case and program managers are instantly alerted as to language assistance needs.

Monitoring, Evaluating, and Updating the LAP plan

The Language Assistance Plan is monitored regularly and evaluated during the outcome measurement assessment surveys conducted annually by The Arc of San Diego. The plan is tracked using the following measures:

- Input from staff assigned to provide day-to-day administration of the Language Assistance Plan to ensure compliance and correct implementation
- Feedback sought from LEP participant regarding the effectiveness of the plan
- Staff feedback sought to determine the effectiveness and usefulness of the Language Assistance Plan
- Review of percentages of primary languages spoken during annual analysis of client demographic information.

The following is a list of the elements to be reviewed annually:

- Assessment of the number of LEP persons participants
- Nature and importance of activities to LEP persons
- Availability of resources, and including new, additional and updated materials as needed
- Tracking of number of request for language needs by LEP participants in order to determine whether interpreters and/or translated materials are adequate
- Assessment of whether staff members understand LEP policies, procedures, and how to access and carry them out
- Assessment of whether language assistance resources and arrangements for those resources are current
- Feedback from LEP communities and community organizations regarding the Language Assistance Plan.

Changes to the Language Assistance Plan annually and will be made based on the input provided from staff, program partners, and LEP persons served by The Arc of San Diego.

One hundred percent of all language assistance is funded by The Arc of San Diego's general operating budget.



Minority Representation on Planning and Advisory Bodies

The Arc of San Diego does not conduct transit related governing boards, advisory councils or committees at this time. Therefore, information regarding minority representation is not offered as part of The Arc of San Diego's Title VI plan.

Resolution No. 2-2019

RESOLUTION OF THE ARC OF SAN DIEGO'S BOARD OF DIRECTORS
APPROVING THE ARC OF SAN DIEGO TITLE VI PROGRAM AND POLICIES

WHEREAS, pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq (the Act) and 49 CFR Part 21, the U.S. Department of Transportation and the Federal Transit Administration (FTA) prohibit discrimination on the basis of race, color or national origin; and

WHEREAS, as a subrecipient of federal funds, The Arc of San Diego is required to comply with the requirements of the Act and applicable implementing regulations; and

WHEREAS, pursuant to FTA Circular 4702.1B, The Arc of San Diego is required to submit its Title VI program to its governing entity for approval; and

WHEREAS, the Board of Directors has considered and determined to approve The Arc of San Diego's Title VI program and policies as set forth in the attached Exhibit A entitled "Title VI Program," including but not limited to carry out a Limited English Proficiency Four Factor Analysis and adopt a Language Assistance Plan;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Directors hereby approves The Arc of San Diego's Title VI program and policies as set forth in the attached Exhibit A entitled "Title VI Program."

Dated: 9/25/19

Leonard J. Rogers
Board Chair

Attest:

Approved as to Legal Sufficiency:

Nathan M. Gilbert
Secretary

Anthony DePaolo
President & CEO