



Town of Yucca Valley Title VI Implementation Program

I. Summary

The Town of Yucca Valley's mission is to excel at providing quality services for the benefit of all residents while developing, maintaining, and enhancing the resources of the area. Title VI of the Civil Rights Act of 1964 (Title VI) is a federal law that requires no person in the United States on the grounds of race, color, or national origin, be excluded from, be denied the benefits or be subjected to discrimination under any program or activity receiving federal financial assistance. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the basis of sex. Title VI applies to recipients and sub-recipients of federal financial assistance. The Civil Rights Restoration Act of 1987 makes clear that pursuant to Title VI discrimination is prohibited throughout any department of a local agency that accepts Federal financial assistance.

The Town of Yucca Valley periodically receives federal funding from the Federal Highway Administration (FHWA) and other federal program funding. As a recipient of such federal aid, the Town is required to comply with Title VI and the related Department of Transportation regulations (Title 49 CFR Part 21).

The following Title VI Program and Language Assistance Plan was developed to guide the Town of Yucca Valley in its administration and management of Title VI related activities.

II. Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 states the following: "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."

Section 162(a) of the Federal-Aid Highway Act of 1973 (Section 324, Title 23 U.S.C.) added the requirement that there be no discrimination on the grounds of sex.

The Civil Rights Restoration Act of 1987, P.L. 100-209, provides clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Educational Amendments Act of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973.

Executive Order 12898 (issued February 11, 1994) addresses Environmental Justice regarding minority and low-income populations. Agencies must develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations; promote nondiscrimination in federal programs substantially affecting human health and the environment; and provide minority and low income communities access to public information and an opportunity for public participation in matters relating to human health or the environment.

Executive Order 13166 (issued August 16, 2000) improves access to services for persons with limited English proficiency. Agencies are directed to evaluate services provided and implement a system that ensures that Limited English Proficiency (LEP) persons are able to meaningfully access the services provided, consistent with, and without unduly burdening the fundamental mission of the local agency. Agencies are directed to ensure that recipients of federal financial assistance provide meaningful access to programs, services and information to their LEP applicants and beneficiaries free of charge. Language barriers have the potential of prohibiting LEP persons from:

- Obtaining services and information relating to Town services, programs and projects.
- Taking advantage of Town programs and activities, which could affect their jobs and social opportunities.
- Understanding the benefits to which they are entitled when their home or business is acquired through eminent domain.

Limited English Proficient persons refer to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well or not at all.

LEP person are entitled to language assistance under Title VI of the Civil Rights Act of 1964, and federal assistance recipients shall take reasonable steps to ensure meaningful access to benefits, services, information and other important portions of their programs and activities.

III. Title VI Program

A. Town of Yucca Valley Equal Opportunity and Nondiscrimination Policy

The Town of Yucca Valley is committed to providing equal opportunities to all employees, applicants, residents, customers, and persons doing business with the Town will ensure that people may participate in, enjoy the benefits of, and be free from discrimination under any program or activity it administers without regard to any protected status, including but not limited to:

- Age
- Ancestry
- Color
- Gender
- Gender Expression
- Gender Identify
- Genetic Information
- Marital Status
- Medical Condition
- Mental Disability
- Military and Veteran Status
- National Origin
- Physical Disability

- Sex (includes pregnancy, childbirth, breastfeeding and/or medical conditions)
- Sexual Orientation

B. Title VI Statement

The Town of Yucca Valley, under Title VI of the Civil Rights Act of 1964, is committed to operating its programs, activities, and services in such a way that no person shall be excluded from the equal distribution of its services and amenities based on their race, color, national origin, sex, disability, or age. The Town has developed a notice to the public informing them of their rights under Title VI. **Appendix A** includes the Title VI Notice to the Public. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Town of Yucca Valley, Caltrans and/or Federal Highway Administration. The Town's complaint process and complaint forms are included in **Appendix B**.

The Town's objective is to:

- Ensure that the level of quality of programs, projects and services are provided without regard to race, color, national origin, sex, disability or age;
- Promote the full and fair participation of all affected populations in decision making;
- Prevent the denial, reduction, or delay in benefits related programs and activities that benefit minority populations or low-income populations; and
- Ensure meaningful access to programs and activities for persons with Limited English Proficiency.

The Town is committed to complying with Title VI requirements for all programs and services delivered to the public. The Title VI Program (Program) serves as a guide and reflection of the Town's commitment to preserving the civil rights for all individual and group benefactors of Town programs and services. The Town's Title VI Assurances, executed pursuant to DOT Order No. 1050.2A, are included as **Appendix C**.

C. Town Governance

The Town is governed by an elected Council of five members.

D. Subrecipients

The Town of Yucca Valley has no subrecipients.

E. Title VI Coordinator

The Town's one primary Title VI Coordinator, Human Resources and Risk Manager, is responsible for the overall Title VI Program. The Title VI Coordinator provides guidance and technical assistance on Title VI matters and has overall program responsibility for preparing reports and developing program procedures. Additional assistance is provided by the Public Works Director (e.g., transportation and infrastructure projects).

The Title VI Coordinator responsibilities include:

- a. Promptly processing and resolving Title VI complaints;
- b. Collecting demographic data (race, color, national origin) of participants in and beneficiaries of the Town's Federal-aid programs, activities, and services;
- c. Promptly resolving areas of deficiency;
- d. Conducting periodic Title VI audits;
- e. Ensuring that Title VI requirements are included in policy directives and that the procedures used have built-in safeguards to prevent discrimination;
- f. Coordinating the development and implementation of staff training regarding the Town's Title VI program; and
- g. Developing and coordinating Title VI information for public dissemination, including where appropriate in languages other than English.

The Human Resources and Risk Manager reports directly to the Town Manager, the Town's chief executive officer.

F. Training

The Town informs all during its new hire orientation about its nondiscrimination policy, public participation plan, and language access plan. All staff are required to acknowledge the policy. The standard acknowledgement is attached as **Appendix D**.

The Town provides additional training to staff as appropriate and required by law.

IV. Title VI Requirements

To meet the general requirements of Title VI, the Town utilizes the following procedures:

A. Notice of Rights

Town of Yucca Valley will display the "Notice of Rights" (**Appendix A**) for public view at various Town facilities with customer service counters. The notice states that the Town will comply with Title VI and ensures that no person on the grounds of color, race national origin, sex, disability or age will be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs, activities, or services. The Notice is currently provided in English.

B. Complaint Procedures

Any person who believes she or he has been discriminated against by the Town of Yucca Valley (hereinafter referred to as "the Town") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The Town will investigate the complaint according to the procedures detailed in **Appendix B**.

A person may also file a complaint directly with the Federal Highway Administration.

C. Public Participation Plan

The Town is committed to ensuring that projects, programs, and services delivered by the Town are sensitive to the various demographic backgrounds within the Town. The Town Public Participation Plan (PPP) is for use by the Town to promote public involvement in the planning and decision-making process of projects, programs, and services.

As a recipient of Federal funding, the Town is required to adhere to Title VI of the Civil Rights Act of 1964 and to integrate the PPP into its Title VI Program. The PPP provides guidelines for involving the public to ensure that all groups are represented and their needs considered. The Town is committed to ensuring it serves the residents and businesses of the Town fairly, consistently, and in the most cost-efficient and appropriate manner within available resources.

Goals and Objectives

The goal of the Town's PPP is to offer a variety of opportunities for the public to engage in planning and decision-making activities. To meet this goal, the objectives of the PPP are as follows:

- To determine what non-English languages and/or other barriers may exist to public participation within the Town service area.
- To provide a general notification of meetings for public input, in a manner that is understandable to all populations in the service area.
- To hold meetings at times and in locations that are accessible and reasonably welcoming to all area residents, including, but not limited to minority, Limited English Proficiency (LEP), and low-income members of the public.
- To utilize a variety of communication methods to capture public input from populations that are not likely to attend or engage in public meetings.

Public Comment Process Offered by the Town Council

The public has a right to express their opinion during the regular Council meetings held the first and third Tuesday of every month at 6 p.m. in the Yucca Room located at 57090 29 Palms Highway, Yucca Valley, CA 92284. Information about the Town Council is available on the Town website at: <https://www.yucca-valley/townhall/council>.

Outreach Efforts

The Town will use multiple techniques to actively solicit policy input in the planning process for a project. The Town will engage the community through the Town's website, social media, and brochures placed at the library, community centers, public parks, and recreation areas within the communities. Appropriate techniques among the following will be used to inform, educate, and gain input from the public about the Town's projects, services, or activities:

- Surveys or questionnaires - mail-in, online, telephone, personal interview
- Articles or press releases in the appropriate publications
- Timely consultation with advisory committees
- Distribution of informal reports, flyers, or brochures
- Collaboration with community based organizations
- Informal presentations at community forums
- Publication of information about meetings, public hearings, and special events on the Town's website
- Direct mailings to those expressing interest in or commenting about certain topics
- General mailings with posters and flyers to area post offices and appropriate agencies, offices, and organizations for distribution to citizens

Low-income, minority, and limited English proficient (LEP) individuals often face additional barriers to participating in public decision making processes. To promote reasonable opportunities for participation by low-income, minority, and LEP individuals to provide input on plans and programs, the Town will identify low-income, minority, and LEP populations within the service area and engage in targeted outreach to such populations where appropriate. The low-income threshold will be defined as households with a per capita income of 80 percent or less of the national average.

Further information on language access for LEP populations is included in the Town's Language Access Plan, attached as **Appendix F**. LEP person is defined in the Town's Language Access Plan.

D. Language Assistance Plan

The Town's policy is to administer its programs and activities in a manner that provides equal access to persons with limited English proficiency (LEP), consistent with Executive Order 13166. The Town has adopted a Language Assistance Plan, attached as **Appendix F**, to identify reasonable steps to provide language assistance for LEP persons who seek meaningful access to Town services.

E. Environmental Justice

In accordance with Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), the Town will identify and address the disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. The Town will consider demographic data into their project design and involve the public in the planning and development process to assess the environmental impacts of projects on the community. The public's input and data analysis enable the Town to develop measures to mitigate any potential adverse effects on minority and low-income populations. The Town is not required to conduct environmental justice analyses of projects where NEPA documentation is not required.

F. Contracts and Agreements

The Town reviews its federally assisted contracts for inclusion of applicable forms and provisions.

Appendix A

TITLE VI NOTICE TO THE PUBLIC

The Town of Yucca Valley operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act of 1964. For information on their Title VI programs, please call Angela Louis at (650) 259-2333.

Any person who believes they have been discriminated against based on race, color or national origin with regard to Town programs or activities has the right to file a complaint within 180 days of the alleged incident. Complaint forms are available at the phone number noted above or at Town Hall, located at 57090 29 Palms Highway, Yucca Valley, CA. You also may file a complaint with the Federal Highway Administration through its Office of Civil Rights, East Building, 8th Floor E81- 105, 1200 New Jersey Ave., SE, Washington, DC 20590.

TITLE VI COMPLAINT PROCEDURES

COMPLAINT PROCESSING AND INVESTIGATION PROCEDURE

The Title VI Coordinator has a file established for all Title VI complaints. All complaints are investigated by the Title VI Coordinator or legal counsel. A record of the investigation accompanies a copy of the original complaint in the case file. Additionally, any notification of legal action, as well as the results of any legal action, will be filed with the original complaint and investigation documents.

Procedures

1. Upon receipt of a complaint regarding a violation of civil rights, a case folder is created with the name of the person filing the complaint and the date of the filing.
2. A copy of the complaint is placed in the case folder.
3. The case folder is filed within the Title VI file.
4. The original complaint is submitted to the Title VI Coordinator for an investigation.
5. Any additional correspondence from the person filing the complaint will be handled in the same manner with a copy being placed in their case folder.
6. Any correspondence from the third party claims adjuster or legal counsel pertaining to the claim will also be filed in the case folder.
7. If the third party claims adjuster determines it necessary, they will forward the claim to legal counsel.

TITLE VI ADMINISTRATOR/OFFICER PROCEDURES

1. Direct complainant to the Title VI Complaint Form (if not previously provided). Forms are available for download from the website or as hard copies sent by mail or picked up by complainants at headquarters. If complainant is unable to complete a written form, Town staff can fill one out on their behalf.
2. Once a Title VI Complaint Form is received, it is to be placed in the Title VI Complaint file. Make determination that the complaint is covered by Title VI and indicate that the form is completed and signed. Complaint form must be received within 180 days of alleged incident. If no investigation is initiated, clearly document the reason.
3. Inform complainant that a formal investigation is being conducted or that their complaint is not covered by Title VI. This must be done within 10 working days of receipt of the completed and signed Title VI Discrimination Complaint Form.
4. Research existing information and attempt to determine the employee who is the subject of the complaint. Determine who will be conducting investigation and see what is known already.
5. Inform investigator that there is a formal Title VI complaint and what additional information, documentation and investigation deadlines are involved. This should be done within 10 working days for receipt of the Title VI Complaint.
6. Investigators should conduct investigation as informed by the procedures and policies of Town. This could include contact and interviews with any witnesses. Actions could include counseling and discipline for employees.
7. Draft Investigation Report.
8. Review Investigation Report with investigator. Discuss findings and/or recommendation for resolution.
9. Finalize Investigation Report.

10. If finding of violation of Title VI discrimination, recommend appropriate corrective action. If no finding of Title VI discrimination, explain why not.
11. Notify Complainant of finding (issue determination letter) and right to appeal and appeal process. Complainant should be notified of findings within 60 days of receipt of the complaint form.
12. Notify investigator of finding (including determination letter).
13. Send Investigation Report sent to Town Manager's office.
14. Complainant has 15 days after receipt of determination letter to appeal findings to the Town Manager.
15. Update complaint file and log.

INVESTIGATOR PROCESS

The person conducting the on the ground investigation will be informed that the complaint is a formal Title VI Investigation within 10 working days of receipt (to the District) of a formal complaint.

Investigator must complete investigation (if necessary) and return completed Title VI Investigator Form within 20 working days of being informed of the formal complaint. Report must include names and titles of all who are contacted about the incident, any evidence reviewed (such as video tapes) and all other relevant information. Investigator is to state why the incident was not a case of discrimination or what action was taken regarding the person accused of acting in a discriminatory manner. Follow up information may be needed within the 60 day time frame to respond to the complainant with the findings. It is desired to submit a completed Title VI Investigator Form as soon as possible (well before the 30 working day due date).

The investigation may include discussion of the complaint with all affected parties to determine the nature of the problem. The complainant may be represented by an attorney or other representative of his/her choosing and may bring witnesses and present testimony and evidence in the course of the investigation.

The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the Town can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

TOWN OF YUCCA VALLEY TITLE VI DISCRIMINATION INVESTIGATOR FORM

SECTION 1 - CASE INFORMATION (from Title VI Administrator)

Title VI Complaint Form Number: _____
Complainant Name: _____
Investigator Name: _____
Investigation Completion Due Date _____

SECTION 2 – PREVIOUS INVESTIGATION

Has this incident/complaint been investigated previously?
_____ Yes _____ No

[If you answered "no" to this question, go to Section 3.]

Was the previous investigation conducted with the discrimination charge in mind?
_____ Yes _____ No

[If you answered "no" to this question, go to Section 3.]

Did the previous investigation result in a finding that discrimination was involved?
_____ Yes _____ No

Please explain why discrimination was not involved, if not previously documented:

SECTION 3 – INVESTIGATION

Date & time of incident: _____

Names, ID (if applicable) and title of employee accused of
discrimination

Name: _____	Title: _____	ID# _____
Name: _____	Title: _____	ID# _____
Name: _____	Title: _____	ID# _____

Location of incident: _____

Was there a determination that discrimination was involved? _____ Yes _____ No

If yes, what corrective action was taken?

If it was determined there was no discrimination, how was that

determination made? Was the complainant contacted? _____ Yes _____ No

If yes, was complainant satisfied with the resolution of the issue/incident?
_____ Yes _____ No _____ Unknown

Re: Town of Yucca Valley VI Discrimination

Complaint Form Dear _____:

Title VI of the Civil Rights Act of 1964 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."

The Town of Yucca Valley is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin as protected by Title VI, as amended. If you believe you have been subjected to discrimination under Title VI, you may file a written complaint. Please complete the enclosed form to initiate a formal complaint and investigation process. Your completed form should be returned to us at:

Town of Yucca Valley
Title VI Coordinator
57090 29 Palms Highway
Yucca Valley, CA 92284

This form must be filed within 180 calendar days of the alleged discriminatory incident. After the form is submitted, you will be contacted within 15 business days of our receipt of the form. An investigator will be assigned to the complaint. If you or another person identified as the primary contact for the complaint does not get confirmation of receipt of the complaint form within 15 business days, please contact us at 760-369-7207.

TITLE VI DISCRIMINATION COMPLAINT FORM

The Town of Yucca Valley is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin. Any person who believes they have been discriminated against based on one of these categories may file a complaint. Complaints must be filed within 180 calendar days of the incident.

Within 15 working days of receipt of your completed complaint form, the Town will contact you to confirm receipt of your complaint form and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigation may include discussion(s) of the complaint with all affected parties to determine the nature of the problem. The investigation generally will be conducted and completed within 60 days of receipt of a complete complaint form. Based upon all information received, an investigation report will be submitted to the Town's Title VI Coordinator. The complainant will receive a letter stating the Town's final decision by the end of the 60-day time limit.

Please complete the information below and send to:

Town of Yucca Valley, Title VI Coordinator
57090 29 Palms Highway
Yucca Valley, CA 92284

SECTION 1 - CONTACT INFORMATION

Name: _____
Address: _____
Town: _____ State: _____ Zip Code: _____
Phone: (Home) _____ (Cell) _____ (Work) _____
[Please note if any of the phone numbers are for a TDD or TTY.]
E-mail: _____ @ _____

SECTION 2 - FILING FOR ANOTHER PERSON

Are you filing this complaint on your own behalf? _____ Yes _____
_____ No [If you

answered "yes" to this question, go to Section 3.]

If not, please supply the name and relationship of the person for whom you are filing

the complaint: Please explain why you have filed for a third party. _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. _____ Yes _____ No

SECTION 3 - DISCRIMINATION COMPLAINT

Which of the following describes the reason you believe the discrimination took place?
Was it because of your:

_____ Race _____ Color _____ National Origin _____ Other: _____

Please describe the Race, Color or National Origin of the aggrieved party _____
discrimination took place: Date _____ / _____ / _____ and time the alleged
_____ / _____ a.m. / p.m.

Where did the alleged discrimination take place? Specific vehicle information is helpful (e.g. vehicle number).

Is there a person you can identify who discriminated against the aggrieved party?

Name: _____

In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible. Please use additional sheets if necessary.

SECTION 4 – PREVIOUS OR EXISTING COMPLAINTS AND LAWSUITS

Have you previously filed a Title VI discrimination complaint with the Town?

___ Yes, for this incident ___ Yes, for a different incident ___ No

Have you filed this complaint with any other agencies or a court?

___ Federal Agency ___ State ___ Local Agency
Agency

___ Federal court ___ State court

___ Other (please specify): _____

Have you filed a claim or lawsuit regarding this complaint? No ___

Yes ___ If

yes, please provide a copy of the complaint form and note court where filed:

___ Federal Court ___ State Court

Please provide contact person information for the agency/court where the complaint was filed. Name / Office: _____

Address: _____

Town: _____ State: _____ Zip Code: _____

Phone Number _____

SECTION 5 – SIGNATURE

Please sign below to attest to the truthfulness of the above. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date

Note: A complaint also may be filed with: Federal Highways Administration, Office of Civil Rights, East Building, 8th Floor E81-105, 1200 New Jersey Ave., SE, Washington, DC 20590.

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part
- 21. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC§ 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations ;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix D – Title VI Program and Language Assistance Plan Staff Training Form

No person shall, on the grounds of race, color, national origin, sex, disability, or age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Employees of the Town of Yucca Valley are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to the Town of Yucca Valley Title VI Coordinator.

I hereby acknowledge receipt of Town of Yucca Valley's Title VI Program and Language Assistance Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of services delivered by the Town of Yucca Valley on the basis of race, color, or national origin, as protected by Title VI.

Signature

Print Name

Date

Appendix E – Title VI Investigations, Complaints, and Lawsuits

The Town is required to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, national origin, sex, disability or age:

- Active investigations
- Lawsuits
- Complaints naming the Town of Yucca Valley

The following exhibit provides information on the complaints received in the previous three years. All complaints on the list below have been resolved through previous standard internal processes (investigation, re-training, discipline, etc.). There have been no Title VI lawsuits filed against the Town.

Investigations, Lawsuits and Complaints Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, national origin)	Status	Actions Taken
Complaints			
Investigations			
Lawsuits			

TOWN OF YUCCA VALLEY LANGUAGE ASSISTANCE PLAN

January 2020

Prepared

by: Town of

Yucca

Valley

57090 29 Palms Highway,
Yucca Valley, CA 92284

I. INTRODUCTION

About the Town of Yucca Valley

The Town of Yucca Valley is a California general law Town. The Town services approximately 20,700 residents, based on the 2010 Census. The Town provides numerous services, including recreation, planning and building, and maintains capital facilities that include parks and roads.

The Town department receiving federal funding is the Department of Public Works. While the Town's policy is to provide language access to Limited English Proficient individuals Town wide, this Language Access Plan focuses on programs and activities within and relating to the Department of Public Works.

Overview of Language Access Plan

The first section in this document provides an overview of the Town's Language Assistance Plan (LAP) and its purpose. The second section in this document provides the four-factor Limited English Proficient (LEP) analysis (as outlined by the Department of Transportation (DOT)) used to identify LEP needs and assistance measures. The four-factor LEP analysis includes:

- **Factor 1:** The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Town program, activity, or service.
- **Factor 2:** The frequency with which LEP persons come in contact with Town programs, activities, or services.
- **Factor 3:** The resources available to the Town and overall cost to provide LEP assistance.

Purpose of Language Access Plan

The purpose of the Town's language access plan is to assess the non-English language resources necessary for the Town to provide services to LEP populations within its jurisdiction in a nondiscriminatory manner, and to outline the ways in which the Town provides those services. A LEP person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English. In doing so, the Town seeks to comply with the following authorities:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. One critical concern addressed by Title VI is the language barrier that Limited English Proficiency (LEP) persons face with respect to accessing information about and using transit service. Transit operators must ensure that this group has adequate access to the agency's programs and activities, including public participation opportunities.

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," forbids funding recipients from "restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program," or from "utilize[-ing] criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects to individuals of a particular race, color, or national origin."

The United States Department of Transportation (DOT) published guidance that directed its recipients to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP residents. Given the diversity of the Town's population, it is critical to provide language assistance. The Town's language assistance plan (LAP) includes a four factor analysis and implementation plan that complies with the requirements of DOT LEP guidance.

II. FOUR FACTOR ANALYSIS

FACTOR 1:

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

In developing this Language Assistance Plan, the Town has paid particular attention to the federal Department of Justice (DOJ) guidelines regarding the "Safe Harbor Provision" for translation of written materials. The US Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons states that providing "written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered" constitutes "strong evidence of compliance with the recipient's written translation obligations."

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures.

FACTOR 2:

The frequency with which LEP persons come in contact with Town programs, activities or services.

The Town comes into contact with LEP individuals through a variety of services. Town employees and contractors also come into contact with LEP individuals when conducting public works projects throughout the Town, and at public meetings. Additionally, the Town promulgates notices and other communications to residents and businesses both electronically and in hard copy.

The Town does not keep official records of the number of contacts, though anecdotally the Town receives requests for translation and interpretation services only sporadically. The Town's experience with LEP individuals has been primarily with Spanish language speakers.

FACTOR 3:

The resources available to Town and overall cost to provide LEP assistance.

Bilingual Town staff provides basic translation and interpretation. The Town's budget does not have a specific line item for providing language access and outreach; costs for translators and outsourcing translation needs would need to split among several different departments depending on which department is responsible for the outreach project being undertaken.

III. LANGUAGE ASSISTANCE IMPLEMENTATION PLAN

IDENTIFYING LEP INDIVIDUALS

As indicated in the analyses provided in Factors One and Two in the previous section, there is substantial evidence that there is a significant LEP population within the Town.

The Town of Yucca Valley staff reviewed the 2010 U.S. Census Report and determined of 20,700 persons in Yucca Valley, 1.68% (141) speak a language other than English. In the service area, of those persons with Limited English proficiency, 127 speak Spanish and 14 speak Italian.

PROVISION OF SERVICES

The Town is committed to providing meaningful access to information and services to its LEP residents and customers. Many of these LEP populations rely heavily on the Town for essential services. The Town uses various methods to accomplish this goal. The Town also maintains the list of community-based organizations serving LEP populations in and around Town of Yucca Valley in Exhibit 2 as a resource for outreaching to LEP populations and assessing their needs. More methods pertaining to outreach are discussed in the Town's Public Participation Plan.

Translation of Vital Documents

Currently the Town disseminates all information in English, with some "vital documents" available in Spanish. "Vital" written documents include complaint forms, written notices of important legal rights, documents that are critical for obtaining services and benefits, documents identifying upcoming fare and service changes, and notices advising LEP individuals of free language assistance. [Translated documents include direct mailers, permit application instructions, and other customer outreach materials like construction-related notices and information pieces.] The Town is working to expand its translation of vital documents, and other documents as appropriate.

Multilingual Staffing

Customer service personnel all speak English. Currently, there are approximately four Town employees within the organization that provide bilingual services on an as-needed basis in Spanish during business hours. If Town staff is not available to provide interpretation, the Town also contracts with Language Line for instant translation services in multiple languages. Staff are equipped with "I Speak" cards to help identify language needs.

Public Meetings

The Town publishes agendas for its public meetings 72 hours in advance or 24 hours in advance for special meetings. Each agenda includes a notice that translation and interpretation is available upon request with specified advance notice.

MONITORING

The Town will monitor on an ongoing basis activities and information that require LEP accessibility. Monitoring methods include:

- Assess new customer information documents prior to production to determine whether the document is "vital" and what level of translation is needed.
- Assess and analyze outreach efforts pertaining to LEP populations.
- Analyze newly available demographic data from the U.S. Census, the ACS, and customer survey.
- Gather information from CBOs and regional agencies and partners to stay current on needs of LEP populations in the Town.
- Track interactions with LEP individuals to assess common needs.

Town of Yucca Valley

HOW TO ACCESS AN INTERPRETER

■ **When Receiving a call:**

1. Use your phone's conference feature to place the Limited English Proficient (LEP) speaker on hold.
2. Dial **1-866-874-3972**
3. Provide your Client ID # **5 0 1 7 5 7 5**
4. Select the language you need
 - a. Press 1 for Spanish
 - b. Press 2 for all other languages and state the name of the language you need
*** Press 0 for agent assistance if you do not know the language
You will be connected to an interpreter who will provide his/her ID number.*
5. Brief the interpreter.
Summarize what you wish to accomplish and provide any special instructions.
6. Add the LEP onto the call.
7. Say "End of Call" to the interpreter when your call is completed.

■ **Note:**

When placing an outbound call to a LEP, begin at **Step 2**. If you need assistance placing a call to the LEP, Please inform the interpreter or agent at the beginning of the call.

When the LEP is face-to-face with you begin at **Step 2**. Once the interpreter joins the line, brief him/her and place the phone on "Speaker" mode or pass the handset back-and-forth.

IMPORTANT INFORMATION:

INTERPRETER IDENTIFICATION - Interpreters identify themselves by name and ID number. Feel free to note this information for future reference if your organization requires it for their records or to comply with regulatory requirements.

WORKING WITH AN INTERPRETER – At the beginning of the call, briefly tell the interpreter the nature of the call. Speak directly to the limited English speaking speaker, not to the interpreter, and pause at the end of a complete thought. Please note, to ensure accuracy, your interpreter may sometimes ask for clarification or repetition.

CUSTOMER SERVICE– To provide feedback, commend an interpreter, or report any service concerns, call 1-800-752-6096 or go to www.language.com, and click on the "Customer Service" tab to complete a Voice of the Customer form.

RESOLUTION NO. 20-01

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA,
ADOPTING THE TOWN OF YUCCA VALLEY TITLE VI IMPLEMENTATION PROGRAM.**

WHEREAS, it is the intent of the Town Council that the Town of Yucca Valley take a proactive leadership role in good faith efforts to achieve non-discriminatory practices in serving all citizens of Yucca Valley and recipients of Town programs and service offerings, as provided herein. In addition, it is the intent of the Council to ensure that the Town provides equal employment and business opportunities to individuals with Limited English Proficiency (LEP); and

WHEREAS, it is the intent of the Town Council to affirm the Town's commitment to non-discrimination under Title VI of the Civil Rights Act of 1964 and related statutes, as amended; and

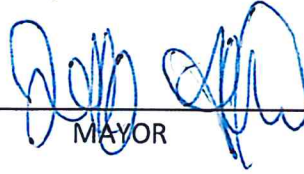
WHEREAS, it is the policy of the Town Council to ensure that the Town of Yucca Valley will ensure that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its projects, activities or services and business opportunities (whether or not they are federally funded) on the basis of race, color, national origin, age, sex or disability as afforded by Title VI of the Civil Rights Act of 1964 and related statutes, as amended; and

WHEREAS, the Town of Yucca Valley endorses the goals of Title VI of the Civil Rights Act of 1964 and related statutes, as amended, and has designated Title VI Coordinators in an effort to comply with and carry out the requirements of the Title VI regulations and related statutes, as amended;

**NOW THEREFORE THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY RESOLVES AS
FOLLOWS:**


The Town Council of the Town of Yucca Valley, California adopt the Town of Yucca Valley Title VI Implementation Program, in the form attached hereto.

APPROVED AND ADOPTED THIS 21st day of January 2020.




MAYOR

ATTEST:



TOWN CLERK

APPROVED AS TO FORM:



TOWN ATTORNEY

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. 20-01 as duly and regularly adopted at a meeting of the Town Council of the Town of Yucca Valley, California at a meeting thereof held on the 21st day of January 2020, by the following vote:

Ayes:	Council Members Abel, Denison, Lombardo, Schooler, and Mayor Drozd
Noes:	None
Abstain:	None
Absent:	None



Lesley R. Copeland, CMC
TOWN CLERK