

PEMHS TRANSIT AGENCY

TITLE VI PLAN

ADOPTED: 2022

Title VI/Nondiscrimination Policy Statement and Management Commitment to Title VI Plan

49 CFR Part 21.7(a): Every application for Federal financial assistance to which this part applies shall contain, or be accompanied by, an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed or pursuant to [49 CFR Part 21].

Personal Enrichment Through Mental Health Services, Inc. (PEMHS) assures the Florida Department of Transportation that no person shall on the basis of race, color, national origin, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by the agency.

PEMHS further agrees to the following responsibilities with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the recipient's Chief Executive Officer or authorized representative.
2. Issue a policy statement signed by the Executive Director or authorized representative, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in language other than English.
3. Insert the clauses of Section 4.5 of this plan into every contract subject to the Acts and the Regulations.
4. Develop a complaint process and attempt to resolve complaints of discrimination against PEMHS.
5. Participate in training offered on the Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or any other state or federal regulatory agency, take affirmative actions to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) days.
7. Have a process to collect racial and ethnic data on persons impacted by the agency's programs.
8. Submit the information required by FTA Circular 4702.1B to the primary recipients (refer to Appendix A of this plan)

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the agency.

Maxine Booker CEO

President/CEO

Maxine Booker
President/CEO

Title VI Plan Concurrence and Adoption

Your Agency will submit the Title VI Plan to FDOT for concurrence every three (3) years or any time a major change in the Plan occurs.

This Plan was approved and adopted by PEMHS's Board of Directors during a meeting held on has not been completed. A copy of the meeting minutes is included in **Appendix A** of this Plan. **This has not been completed at this time.**

1.0 Title VI Notice to the Public

1.1 Notice to Public

Recipients must notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI Plan. The notice must include:

- A statement that the agency operates programs without regard to race, color and national origin
- A description of the procedures members of the public should follow to request additional information on the grantee's nondiscrimination obligations
- A description of the procedure members of the public should follow to file a discrimination complaint against the grantee

A sample of the notice is included in the **Appendix B** of this Plan. The sample notice should be translated into other languages, as necessary.

1.2 Notice Posting Locations

The Notice to Public will be posted at many locations to apprise the public of PEMHS's obligations under Title VI and to inform them of the protections afforded them under Title VI. At a minimum, the notice will be posted in public areas of PEMHS's office(s) including the reception desk and meeting rooms, and on the PEMHS's website at pemhs.org. Additionally, PEMHS may also post the notice on transit vehicles.

If your agency does not have a website, contact Mr. Dave Newell, District 7 – Tampa Florida
Dave.Newell@dot.state.fl.us
813/975-6195

A sample version of this notice is included in **Appendix B** of this Plan along with any translated versions of the notice, as necessary. The public notice must be provided in any other language which meets the Safe Harbor threshold (See Appendix E).

2.0 Title VI Procedures and Compliance

2.1 Complaint Procedure

Any person who believes he or she has been discriminated against on the basis of race, color or national origin by PEMHS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form (see **Appendix C**). PEMHS investigates complaints received no more than 180 days after the alleged incident. PEMHS will process complaints that are complete.

Once the complaint is received, PEMHS will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing him/her whether the complaint will be investigated by our office.

PEMHS has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, PEMHS may contact the complainant. The complainant has ten (10) 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 ten (10) business days, PEMHS can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has seven (7) days to do so from the time he/she receives the closure letter or the LOF.

The complaint procedure will be made available to the public on PEMHS's website, pemhs.org.

2.2 Complaint Form

A copy of the complaint form in English and Spanish is provided in the **Appendix C** and on PEMHS's website (pemhs.org). The complaint form must be provided in any languages spoken by the LEP population which meet the Safe Harbor threshold (See **Appendix C**).

3.0 Title VI Investigations, Complaints, and Lawsuits

In accordance with 49 CFR 21.9(b), PEMHS must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by PEMHS in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to [FDOT].

PEMHS has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years. A summary of these incidents is recorded in Table 1.

Table 1: Summary of Investigations, Lawsuits, and Complaints

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

4.0 Public Participation Plan

The Public Participation Plan (PPP) for PEMHS, a not-for-profit agency, was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for PEMHS. The PPP is included in **Appendix D** to this Title VI Plan.

Current Outreach Efforts

PEMHS is required to submit a summary of public outreach efforts made over the last three (3) years. The following is a list and short description of PEMHS’s recent, current, and planned outreached activities.

- PEMHS improved our website to be more appealing and user friendly encouraging the public to engage and provide reviews on PEMHS services as well as suggestions on ways to improve services.
- PEMHS also does outreach through social media platforms.
- PEMHS applies for grants that will help meet the needs of the population we serve.

- PEMHS staff have sponsored a number of community events giving away food, clothing and housewares. They also provide education and community resource information.

Consumer Satisfaction Surveys

Consumer Satisfaction Surveys provide a mechanism for consumers to comment on the programs and services of PEMHS in an anonymous fashion. These annual surveys cover all areas of PEMHS operations: programs, facilities, and staff behaviors. Results of these surveys are used by management to improve services, facilities, and staff as well as in future planning efforts.

Community Involvement

PEMHS staff involvement in Pinellas County social service network and community based meetings is an additional way that participation and feedback is achieved. PEMHS is a member of the Pinellas County System of Care. PEMHS staff are active in other community meetings such as the Children's Mental Health Initiative, The Wellness Connection and the Central Florida Behavioral Health Network and specific ad hoc committees in our community.

Current Outreach Efforts

The following is a list and short description of PEMHS, Inc.'s recent, current, and planned outreach activities. ▪

PEMHS IMPACT Team made frequent visits to homeless and high need individuals in need of mental health, substance use and physical health service referrals and connections

PEMHS Navigations services helped locate housing for community residents being evicted from their place of residence.

PEMHS Navigation staff provided diapers, clothing and other household needs to residents in need of supplies

PEMHS Navigation staff relocated to Neighborhood Community Centers to provide refer to resources that could provide various assistance to individuals at risk of eviction.

PEMHS operates the Pinellas Integrated Care Team that the highest users of local emergency services, 911, are provided temporary case management and system navigation services to direct them to appropriate sources of care

5.0 Language Assistance Plan

PEMHS operates a transit system within Pinellas County. The Language Assistance Plan (LAP) has been prepared to address PEMHS's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In PEMHS service area there are 46,416 residents or 5.1% who describe themselves as not able

to communicate in English very well (Source: US Census). PEMHS is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. PEMHS has utilized the U.S. Department of Transportation (DOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP. The LAP is included in this Title VI Plan as **Appendix E**.

Transit Planning and Advisory Bodies

PEMHS does not have a transit-related committee or board; therefore, this requirement does not apply.

6.0 Title VI Equity Analysis

PEMHS has not recently constructed any facilities nor does it currently have any facilities in the planning stage. Therefore, PEMHS does not have any Title VI Equity Analysis reports to submit with this Plan. PEMHS will utilize the demographic maps included in Appendix I for future Title VI analysis.

7.0 Appendices

APPENDIX A	TITLE VI PLAN ADOPTION MEETING MINUTES
APPENDIX D	TITLE VI SAMPLE NOTICE TO PUBLIC
APPENDIX C	TITLE VI COMPLAINT FORM
APPENDIX D	PUBLIC PARTICIPATION PLAN
APPENDIX E	LANGUAGE ASSISTANCE PLAN
APPENDIX F	OPERATING AREA LANGUAGE DATA: PEMHS SERVICE AREA
APPENDIX G	DEMOGRAPHIC MAPS (COULD BE OPTIONAL)

Appendix A
Title VI Plan Adoption Meeting Minutes



MINUTES

Board of Directors Meeting
Personal Enrichment through Mental Health Services, Inc.
(PEMHS)
Wednesday, March 16, 2022, at 6:00 p.m. via Zoom

The Board of Directors' meeting of Personal Enrichment through Mental Health Services, Inc. (PEMHS) held on Wednesday, March 16, 2022, was called to order by Jerrilyn Evans, Board Vice-Chair, at 6:06 p.m.

PRESENT: Jerrilyn Evans (*Vice-Chair*), Lynn Stone (*Secretary & Treasurer*), Ron Knaus, Donna Welch, Maxine Booker (*CEO & President*), Jahenein Nagel (*Chief Nursing Officer*), Zofia Whiting (*CFO*), Laverne Feaster-Johnson, Lucile Casey, Tracy Johnson

ABSENT: Matthew Schwarz (*Chair*), Lee Scharrer, Matt Rosen

In the absence of the Board of Directors' quorum, Vice-Chair Evans informed the Board Members that during this session the Board will operate on the principles of the small Board.

I. Governance:

A. **FDOT Policy Approval**

PEMHS is receiving vehicles from the Florida Department of Transportation (FDOT) as a part of a grant. The grant is governed by the 53-10 FDOT Policy. PEMHS is required to follow the policies and guidelines established by the department; accident reporting, vehicle maintenance, and staff training are some of the examples. PEMHS needed to create a new policy by using the FDOT template. Title VI, which needs to be approved, is a part of the policy, related to the management and operations of the transportation department. The policy has already been approved by the FDOT for a period of three years. After a motion to approve, the Board of Directors unanimously approved the policy.

Submitted by:

Lynn Stone, Secretary

Appendix B
Title VI Sample Notice to Public

Notifying the Public of Rights Under Title VI

PEMHS

- PEMHS operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with PEMHS.
- For more information on PEMHS's civil rights program, and the procedures to file a complaint, contact 727-362-4331, (TTY 727-362-4331); email salbert@pemhs.org or visit our administrative office at 11254 58th Street North Pinellas Park, FL 33782. For more information, visit pemhs.org
- If information is needed in another language, contact 727-545-4331.
- *Si necesita información en otro idioma, comuníquese con 727.362.4331.
- *Si w bezwen enfòmasyon nan yon lòt lang, kontakte 727.362.4331.

Appendix C
Title VI Complaint Form

PEMHS

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Family or Religious Status <input type="checkbox"/> Other_____				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Section V	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
Section VI	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	

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

Signature and date required below

Signature _____ Date

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

PEMHS Title VI Liaison
11254 58th Street North
Pinellas Park, Florida 33782

Appendix D

Public Participation Plan (PPP)

The Public Participation Plan (PPP) is an open ended plan which should be tailored to the needs and capabilities of your agency. The following is a rough template for a possible PPP for a typical sub-recipient transit agency. The plan should be modified to match the public participation needs of your agency with capabilities of your agency. FTA Circular 4702.1B provides little concrete guidance to the contents of the PPP. The following are instructions from FTA Circular 4702.1B with regards to the PPP:

“Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program and/or service under consideration, and the resources available.”

“Some of those effective practices include:

- a. Scheduling meeting at times and locations that are convenient and accessible for minority and LEP communities.
- b. Employing different meeting sizes and formats.
- c. Coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- d. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.
- e. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral communication. “

With these instructions in mind, please add or remove items from the template as you see fit. The majority of the plan is shown in **green text** to indicate the flexibility in the plan.

Introduction

The Public Participation Plan (PPP) for PEMHS was developed to ensure that all members of the public, including minorities and Limited English Proficient (LEP) populations, are encouraged to participate in the decision making process for PEMHS. Policy and service delivery decisions need to take into consideration community sentiment and public opinion based upon well-executed outreach efforts. The public outreach strategies described in the PPP are designed to provide the public with effective access to information about PEMHS services and to provide a variety of efficient and convenient methods for receiving and considering public comment prior to implementing changes to services. PEMHS also recognizes the importance of many types of stakeholders in the decision-making process, including other units of government, metropolitan area agencies, community based organizations, major employers, passengers and the general public, including low-income, minority, LEP, and other traditionally underserved communities.

Public Participation Goals

The main goal of the PPP is to offer meaningful opportunities for all interested segments of the public, including, but not limited to, low-income, minority and LEP groups, to comment, about PEMHS and its operations. The goals for this PPP include:

- **Inclusion and Diversity:** PEMHS will proactively reach out and engage low-income, minority, and LEP populations for the PEMHS service area so these groups will have an opportunity to participate.
- **Accessibility:** All legal requirements for accessibility will be met. Efforts will be made to enhance the accessibility of the public's participation – physically, geographically, temporally, linguistically and culturally.
- **Clarity and Relevance:** Issues will be framed in public meetings in such a way that the significance and potential effect of proposed decisions is understood by participants. Proposed adjustments to fares or services will be described in language that is clear and easy to understand.
- **Responsive:** PEMHS will strive to respond to and incorporate, when possible, appropriate public comments into transportation decisions.
- **Tailored:** Public participation methods will be tailored to match local and cultural preferences as much as possible.
- **Flexible:** The public participation process will accommodate participation in a variety of ways and will be adjusted over time as needed.

Public Participation Methods

The methods of public participation included in this PPP were developed based upon best practices in conjunction with the needs and capabilities of PEMHS. PEMHS intends to achieve meaningful public participation by a variety of methods with respect to service and any changes to service.

The public will be invited to provide feedback on the PEMHS website, pemhs.org, and all feedback on the site will be recorded and passed on to PEMHS management. The public will also be able to call the PEMHS office at 727-545-4331 during its hours of operation. Feedback collected over the phone will be recorded and passed on to PEMHS management. Formal customer surveys to measure performance, and listening sessions to solicit input, will be conducted periodically. The comments recorded as a part of these participation methods will be responded to as appropriate.

For community meetings and other important information, PEMHS will use a variety of means to make riders and citizens aware, including some or all of the following methods:

- In-vehicle advertisement
- Posters or flyers in transit center
- Posting information on website
- Press releases and briefings to media outlets
- Multilingual flyer distribution to community based organizations, particularly those that target LEP population

- Flyers and information distribution through various libraries and other civic locations that currently help distribute timetables and other information
- Communications to relevant elected officials
- Other methods required by local or state laws or agreements

All information and materials communicating proposed and actual service adjustments will be provided in English and any other language that meets the “safe harbor” criteria.

Appendix E

Language Assistance Plan (LAP)

I. Introduction

PEMHS operates a transit system providing service in Pinellas County to clients enrolled in a PEMHS program. The Language Assistance Plan (LAP) has been prepared to address PEMHS's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals, who have a limited ability to read, write, speak or understand English are LEP. In PEMHS service area there are 46,416 residents or 5.1% who describe themselves as not able to communicate in English "very well" (Source: US Census). PEMHS is federally mandated (Executive Order 13166) to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. PEMHS has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

The U.S. Department of Transportation Handbook, titled "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers, (April 13, 2007), "(hereinafter "Handbook"), states that Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide 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 otherwise subjected to discrimination under any program or activity that receives Federal financial assistance (Handbook, page 5). The Handbook further adds that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (Handbook, page 5).

Executive Order 13166 of August 16, 2000 states that recipients of Federal financial assistance must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons (Handbook, page 6). Additionally, recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are LEP (Handbook, page 6). These provisions are included in FTA Circular 4702.1B in Paragraph 9 of Chapter III (pages III-6 to III-9).

For many LEP individuals, public transit is the principal transportation mode available. It is important for PEMHS be able to communicate effectively with all of its riders. When PEMHS is able to communicate effectively with all of its riders, the service provided is safer, more reliable, convenient, and accessible for all within its service area. PEMHS is committed to taking reasonable steps to ensure meaningful access for LEP individuals to this agency's services in accordance with Title VI.

This plan will demonstrate the efforts that PEMHS undertakes to make its service accessible to all persons without regard to their ability to communicate in English. The plan addresses how services will be provided through general guidelines and procedures including the following:

- Identification: Identifying LEP populations in service areas
- Notification: Providing notice to LEP individuals about their right to language services
- Interpretation: Offering timely interpretation to LEP individuals upon request
- Translation: Providing timely translation of important documents
- Staffing: Identifying PEMHS staff to assist LEP customers

- Training: Providing training on LAP to responsible employees.

II. Four Factor Analysis

The analysis provided in this report has been developed to identify LEP population that may use PEMHS services and identify needs for language assistance. This analysis is based on the “Four Factor Analysis” presented in the Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons, dated April 13, 2007, which considers the following factors:

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

a. Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

Of the 974,996 residents in the PEMHS service area 46,416 residents describe themselves as speaking English less than “very well”. People of Spanish descent are the primary LEP persons likely to utilize PEMHS services. For the PEMHS service area, the American Community Survey of the U.S. Census Bureau shows that among the area’s population 86% speak English “very well”. For groups who speak English “less than very well”, 6.9% speak Spanish and .076% speak Vietnamese.

Appendix F contains a table which lists the languages spoken at home by the ability to speak English for the population within the PEMHS service area.

b. Factor 2: The Frequency with which LEP Individuals Come into Contact with Your Programs, Activities, and Services

The Federal guidance for this factor recommends that agencies should assess the frequency with which they have contact with LEP individuals from different language groups. The more frequent the contact with a particular LEP language group, the more likely enhanced services will be needed.

PEMHS has assessed the frequency with which LEP individuals come in contact with the transit system. The methods utilized for this assessment include analysis of Census data, examining phone inquiries, requests for translated documents, and staff survey. As discussed above, Census data indicates that possible prominent LEP groups Spanish speakers. Phone inquiries and staff survey feedback indicated that PEMHS dispatchers and drivers interact infrequently with LEP persons. The majority of these interactions have occurred with LEP

persons who mainly spoke Spanish and Vietnamese. Over the past 3 years, PEMHS has had 334 requests for translated documents.

c. Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient to People’s Lives

PEMHS does not provide public transportation, but provides transportation to people we serve in our crisis stabilization Units. 100% of the people served are disabled therefore, the service we provide is crucial. Of the 2,183 people served in a given year, approximately 5.5% of the population is LEP. Our transportation and LEP plan allows us to provide transportation to appropriate care, community services and residences for people who are both English proficient and have those who have limited English proficiency. Our staff ensure equal access by making accommodation in the event any barriers to services exist. An LEP’s inability to utilize PEMHS transportation effectively, may adversely affect their ability to get to a safe and appropriate disposition after care.

d. Factor 4: The Resources Available to the Recipient and Costs

PEMHS assessed its available resources that are currently being used, and those that could be used, to provide assistance to LEP populations. These resources include the following: the use of qualified interpreters with proficiency in the consumer’s native language for all treatment services provided, the Language Line, American Red Cross, V/TTD services, Gulfcoast Community Care and Catholic Charities. PEMHS provides a reasonable degree of services for LEP populations in its service area. Services for interpreters are provided at no cost.

III. Language Assistance Plan

In developing a Language Assistance Plan, FTA guidance recommends the analysis of the following five elements:

1. Identifying LEP individuals who need language assistance
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the plan

The five elements are addressed below.

a. Element 1: Identifying LEP Individuals Who Need Language Assistance

Federal guidance provides that there should be an assessment of the number or proportion of LEP individuals eligible to be serviced or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis.

PEMHS has identified the number and proportion of LEP individuals within its service area using United States Census data (see Appendix H). As presented earlier, 86% of the service area population speaks English only. The largest non-English spoken language in the service area is Spanish (6.2%). Of those whose primary spoken language is Spanish, approximately 5.1% identify themselves as speaking less than “very well”. Those residents whose primary

language is not English or Spanish and who identify themselves as speaking English less than “very well” account for 0.746% of the service area population.

PEMHS may identify language assistance need for an LEP group by:

1. Examining records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Having Census Bureau Language Identification Flashcards available at PEMHS Meetings. This will assist PEMHS in identifying language assistance needs for future events and meetings.
3. Having Census Bureau Language Identification Flashcards on all transit vehicles to assist operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to PEMHS management to follow-up.

b.

Federal Guidance suggests that an effective LAP should include information about the ways in which language assistance will be provided. This refers to listing the different language services an agency provides and how staff can access this information.

For this task Federal Guidance recommends that transit agencies consider developing strategies that train staff as to how to effectively deal with LEP individuals when they either call agency centers or otherwise interact with the agency.

Modify the following list with the efforts your agency is willing and able to undertake with regards to language assistance measures.

PEMHS has undertaken the following actions to improve access to information and services for LEP individuals:

1. Provide translators with prior notification of need for treatment
2. Survey transit drivers and other front-line staff annually on their experience concerning any contacts with LEP persons during the previous year.
3. Provide Language Identification Flashcards onboard transit vehicles and in the PEMHS offices.
4. Include statements clarifying that being bilingual is preferred on van driver recruitment flyers and onboard recruitment posters.
5. When an interpreter is needed in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

PEMHS will utilize the demographic map provided in **Appendix G** in order to better provide the above efforts to the LEP persons within the service area.

c. Element 3: Training Staff

Federal guidance states staff members of an agency should know their obligations to provide meaningful access to information and services for LEP persons and that all employees in public contact positions should be properly trained.

Suggestions for implementing Element 3 of the Language Assistance Plan, involve: (1) identifying agency staff likely to come into contact with LEP individuals; (2) identifying existing staff training opportunities; (3) providing regular re-training for staff dealing with LEP individual needs; and (4) designing and implementing LEP training for agency staff.

In the case of PEMHS, the most important staff training is for Customer Service Representatives and transit drivers. Several representatives are bilingual in English and we attempt to recruit staff proficient in other languages

The following training will be provided to Customer Service Representative:

1. Information on Title VI Procedures and LEP responsibilities
2. Use of Language Identification Flashcards
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

d. Element 4: Providing Note to LEP Persons

PEMHS will make Title VI information available in English and Spanish on the Agency's website. Key documents are written in English and Spanish. Notices are also posted in PEMHS office lobby, on vans. Additionally, when staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

e. Element 5: Monitoring and Updating the Plan

The plan will be reviewed and updated on an ongoing basis. Updates will consider the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination as to whether the need for translation services has changed
- Determine whether PEMHS's financial resources are sufficient to fund language assistance resources needed

PEMHS understands the value that its service plays in the lives of individuals who rely on this service, and the importance of any measures undertaken to make the use of system easier. PEMHS is open to suggestions from all sources, including customers, PEMHS staff, other transportation agencies with similar experiences with LEP communities, and the general public, regarding additional methods to improve their accessibility to LEP communities.

IV. Safe Harbor Provision

DOT has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

PEMHS service area does have LEP populations which qualify for the Safe Harbor Provision. As shown in Spanish, Indo European, Asian and Pacific Islander and other languages, speakers qualify for the Safe Harbor Provision as the number of person which speak English "less than very well" is counted as 5.1% and 46,416 persons.

PEMHS 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.

Appendix F

Operating Area Language Data:

PEMHS Service Area

Population Group	Pop.	%age of Total Pop.
Speak English only	780,653	86%
Language other than English spoken at home	126,579	14%
Speak English less than "very well"	46,416	5.1%
Spanish		
Persons who speak Spanish at home	58,647	6.5%
Speak English less than "very well"*	22,383	2.5%
Indo-European		
Persons who speak European languages at home	42,068	4.6%
Speak English less than "very well"*	12,891	1.4%
Asian and Pacific Islander languages		
Persons who speak Asian and Pacific Islander languages at home	20,812	2.3%
Speak English less than "very well"*	9,740	1.1%
Other Languages		
Persons who speak other languages at home	5,052	0.6%
Speak English less than "very well"	1,402	0.2%

Source: US Census Bureau 2013-2017 American Community Survey

Appendix G

Demographic Maps

