

Section II.

Notice to the Public and Posting Location List

Notifying the Public of Rights under Title VI OPARC

OPARC 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 in accordance with Title VI of the Civil Rights Act of 1964.

- OPARC provides services and operates programs without race, color or national origin in full compliance with Title VI.
- Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI while using MBTA services may file a complaint with OPARC. All complaints will be fairly and objectively investigated.
- To file a complaint, you may contact our Title VI Program Administrator, Peggy Benson at (909) 985-3116 ext. 135 or by email: pbenson@oparc.org ; or visit OPARC's headquarters at 9029 Vernon Ave, Montclair, CA 92630.
- For more information about OPARC's Title VI program and complaint procedure, contact (909-985-3116) or visit OPARC's website:<http://www.oparc.org>.
- A complainant may file a complaint directly with Federal Transit Administration by filing a complaint with the Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590
- If information is needed in another language, contact (888) 808-9008, PIN 74674457. **All information is available in Spanish.**
- Si se necesita información en español, llame (888)808-9008, PIN 74674457.
- **Toda la información está disponible en español.**

Notificación al Público de Derechos bajo Título VI OPARC

OPARC se compromete a garantizar que ninguna persona será excluida de la distribución equitativa de sus servicios e instalaciones por motivos de raza, color y origen nacional, de acuerdo con el Título VI de la Ley de Derechos Civiles de 1964.

- OPARC ofrece servicios y opera programas sin discriminación de raza, color u origen nacional en plena conformidad con el Título VI.
- Cualquier persona que cree que él o ella ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI durante el uso de los servicios de la MBTA, puede presentar una queja ante OPARC. Todas las quejas serán investigadas de manera justa y objetiva.
- Para presentar una queja, puede comunicarse con nuestro Administrador del Programa Título VI, Peggy Benson al (909) 985-3116 Ext. 135 o por e-mail: pbenson@oparc.org; o visitar la sede de operaciones de OPARC en 9029 Vernon Ave. Montclair, CA 92630
- Para obtener más información sobre el programa de OPARC Título VI y el procedimiento de queja, contactar al (909-985-3116) o visite el sitio web de OPARC: <http://www.oparc.org>.
- Un demandante puede presentar una queja directamente con la Federal Transit Administration mediante la presentación de una queja ante el Coordinador del Programa Título VI, FTA Office of Civil Rights , East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE Washington, D.C. 20590
- Si necesita información en otro idioma, contactar al (888) 808-9008, PIN 74674457. Toda la información está disponible en español.
- **All information is available in English.**

Section III.

OPARC Title VI Complaint Procedure

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by OPARC, Inc. (hereinafter referred to as "OPARC") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The complaint may be addressed to Peggy Benson at 9029 Vernon, Montclair CA. 91763 or pbenson@oparc.org

The following procedures will be followed to investigate formal Title VI complaints:

- OPARC investigates complaints that are received no more than 180 days after the alleged incident. OPARC will process complaints that are complete.
- Once the complaint is received, OPARC will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.
- OPARC has 15 business days to investigate the complaint. If more information is needed to resolve the case, OPARC may contact the complainant. The complainant has 5 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 5 business days, OPARC can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- After the investigator reviews the complaint, 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.
- An 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 10 days after the date of the letter or the LOF to do so.
- A person may also file a complaint directly with the Federal Transit Administration, as set forth in the FTA Complaint Procedure, attached hereto as Attachment A.

If information is needed in another language, please contact (909) 985-3116.

Si se necesita información en otro idioma, póngase en contacto con (909) 985-3116.

Sección III

OPARC TITULO VI PROCEDIMIENTO DE QUEJAS.

Cualquier persona que crea haber sido discriminado (a) por causa de raza, color o lugar de origen por OPARC (De aquí en adelante se nombrara como "OPARC") puede levantar una queja basada en el Título VI, llenando y entregando la forma de quejas de la agencia del Título VI. La forma debe ser dirigida a Peggy Benson localizada en el 9029 Vernon, Montclair CA 91763 o al correo electronico: pbenson@oparc.org.

El procedimiento a seguir para la investigación formal de quejas del el Título VI será:

- OPARC investigara todas las quejas recibidas antes de un transcurso de 180 días después del supuesto incidente. OPARC procesara solo formas que estén debidamente llenas.
- Una vez que la queja haya sido recibida, OPARC la revisara, para determinar si nuestra oficina tiene jurisdicción. El agredido recibirá una carta de confirmación informándole si la queja será investigada por nuestra oficina.
- OPARC tendrá 15 días hábiles para investigar la queja. En caso de necesitar más información para resolver el caso, OPARC puede contactar al agredido. El Agredido tendrá 5 días hábiles después de la fecha de la carta para mandar la información requerida al investigador asignado al caso.
- En caso de que el investigador no sea contactado por el agredido o no reciba la información requerida en un lapso de 5 días hábiles, OPARC puede administrativamente cerrar el caso. Un caso puede ser administrativamente cerrado si el agredido no desea continuar con el caso.
- Después de que el investigador haya revisado el caso, él o ella hará una de dos cartas al agredido, ya sea para cerrar el caso o dar los resultados de la investigación (RDI).
- Una carta de cierre de caso, tendrá un resumen de las quejas y explicara qué no hubo violación bajo el Título VI y que el caso será cerrado.
- Una Carta de RDI tendrá un resumen de las quejas y entrevistas acerca del incidente de la queja, y explicara si habrá acción disciplinaria, entrenamiento adicional para el personal o alguna otra acción que será tomada.
- Si el agredido desea apelar la decisión del caso él o ella tendrá 10 días después de la fecha de dicha carta.
- La persona podrá también poner una queja directamente al Federal Transit Administration, (FTA) como está establecido en el procedimiento de quejas de la FTA, aquí se adjunta la forma requerida.

Si necesita información en otro idioma, por favor llame a 909-985-3116

Section IV.

OPARC Title VI Complaint Form

Section A:

Name: _____

Address: _____

Telephone (Home): _____

Telephone (Work): _____

Electronic Mail Address: _____

Accessible Format Requirements?

Large Print

Audio Tape

TDD

Other

Section B:

Are you filing this complaint on your own behalf? Yes* No

*If you answered "yes" to this question, go to Section C. If you answered "no," 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 C:

I believe the discrimination I experienced was based on (check all that apply):

Race

Color

National Origin

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 D:

Have you previously filed a Title VI complaint with this agency? Yes No

Section E:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes No

If yes, check all that apply: Federal Agency Federal Court
 State Agency State Court Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed:

Name:
Title:
Agency:
Address:
Telephone:

Section F:

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:
Title VI Coordinator
9029 Vernon Ave.
Montclair, CA 91763

OPARC

Sección IV

OPARC Titulo VI Forma para quejas

SECCION A:

Nombre: _____

Dirección: _____

Teléfono (casa) _____

Teléfono (Trabajo) _____

Correo Electrónico _____

Necesidad de Formato especial?

Letra Grande Grabación de Audio TDD Otro

SECCION B:

Estas registrando esta queja para ti mismo? Si* No

* Si la respuesta fue "Si" a esta pregunta pasa a la Sección C, si la respuesta fue "No", favor de proveer el nombre y parentesco de la persona para la cual estas poniendo la queja:

Favor de explicar la razón por la cual está llenando esta queja como una tercera persona:

Por favor confirme que tiene la autorización de el agredido para llenar este formulario como una tercera persona. Si No

SECCION C:

Yo creo que la discriminación que yo experimente fue basada en (Marcar todas las que apliquen)

Raza Color Nacionalidad de origen.

Fecha de la discriminación: (Mes, Día y Año): _____

Explicar lo más claro posible que paso y porque piensa que fue discriminado. Anote todas las personas involucradas. Incluir el nombre y la información de contacto de la (s) personas que discriminaron en contra de usted (si se sabe), también incluir el (los) nombre (s) de testigos e información de contacto. Si necesita más espacio use el reverso de esta forma.

SECCION D:

¿Alguna vez UD. ha puesto una queja bajo el Titulo VI con esta agencia? Si No

SECCION E:

¿Alguna vez Ud. ha puesto una queja en contra de alguna agencia, Federal, Estatal o Local, o con alguna corte federal o estatal? Si No

Si la respuesta es Sí, marque todo lo que aplique:

- Agencia Federal Corte Federal Agencia estatal
 Corte estatal Agencia local

Favor de provee información acerca de la persona contactada en la Agencia / Corte donde fue puesta la queja:

Nombre:
Título:
Agencia:
Domicilio:
Teléfono:

SECCION F

Nombre de la Agencia que la Queja es en contra:

Nombre de la persona a contactar:

Título:

Número de teléfono:

Puede adjuntar cualquier material escrito u otra información que pueda ser relevante a su queja. Firma y fecha requerida:

Firma

Fecha

Favor de entregar esta forma personalmente o enviar a la siguiente dirección:
TITLE VI Coordinator
9029 Vernon Ave.
Montclair, CA 91763

OPARC

Section VI.
OPARC
Public Participation Plan

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PUBLIC PARTICIPATION PLAN

OPARC was founded in 1950 by a parent of a disabled child who was seeking other families with similar challenges. From its earliest days, public outreach helped other families connect with one another, resources and later to raise funds and awareness.

OPARC serves adults with developmental/intellectual disabilities today. A wide range of programs are available to help individuals learn employment skills, earn money, and access the community. OPARC no longer serves the public at large; clients are referred by and approved by the Regional Center(s) and the Department of Rehabilitation.

Public participation is the process through which stakeholders can partake directly in agency decision-making, and express their concerns, desires, and values. At OPARC, we strive to create a supportive, inclusive environment for people with special needs. We work with our participants, families and staff to make sure that reasonable steps are taken to ensure meaningful access for the public and Limited English Proficiency (LEP) participants so that they may participate in our programs. Here are some of those efforts:

- OPARC is heavily involved in Regional Center committees, Department of Rehabilitation caucuses, transition units in the public schools, and actively communicates with families and donors.
- We publish and distribute brochures on our services in English and in Spanish; and over 2,000 businesses, foundations, and individuals receive the OPARC Annual Report and Inspire Magazine.
- The Title VI Notice and complaint form are available to the public in English and Spanish via our website and posted in our office reception area.
- The OPARC website is updated regularly as is OPARC social media. The public is welcome to comment at any time.
- Informational emails are sent monthly on a variety of topics.
- Over half of OPARC staff are bi-lingual. OPARC is required by the Regional Center system to be able to communicate with clients and families.

Based upon all these factors, OPARC feels it has taken reasonable steps to ensure meaningful access to the public and our LEP participants.

LIMITED ENGLISH PROFICIENCY PLAN

INTRODUCTION

The **first section** in this document describes the purpose of the Limited English Proficiency Plan (LEP).

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 OPARC program, service or activity.
- **Factor 2:** The frequency with which LEP persons come in contact with OPARC's program, service or activity.
- **Factor 3:** The nature and importance of programs, services or activities provided by OPARC to the LEP population.
- **Factor 4:** The resources available to OPARC program and overall cost to provide LEP assistance.

The **third and final section** discusses the implementation of the LEP plan, which includes methodologies for identifying LEP individuals, providing LEP assistance and training employees.

PURPOSE OF THE LIMITED ENGLISH PROFICIENCY PLAN

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."

FTA Circular 4702.1B was developed by the Federal Transit Administration (FTA) and details the administrative and reporting requirements for recipients of FTA financial assistance to comply with Title VI and related executive orders including on LEP.

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 customers. OPARC's LEP plan includes a four factor analysis and implementation plan that complies with the requirements of DOT LEP guidance.

LANGUAGE ASSISTANCE PLAN

Title VI regulation require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

Approximately 15% of OPARC's clients are monolingual non English speaker and 61% of the clients served by OPARC are ethnically diverse. 59% of the staff and volunteers are bilingual who can provide language assistance to LEP persons in 21 languages- Arabic, Armenian, Assyrian, Chichewa, Ethiopia Tigay, Fante, Filipino, French, Ghanaian, Hebrew, Indonesian, Italian, Korean, Malaysian, Mandarin Chinese, Nigerian, Pigeon, Spanish, Tagalog, Taiwanese, and Twi.

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 OPARC program, service or activity.

As a recipient of FTA 5310 Grant funding, OPARC provides transportation services to individuals with developmental disabilities participating in the agency's programs and support groups. Participants are referred for transportation services from the agency's variety of programs. OPARC serves participants with monolingual skill in Spanish language. The literacy skills of these LEP populations in their language are limited as the participants are developmentally disabled. 40% of OPARC staff and volunteers are bilingual in Spanish. As such, OPARC is able to interact with LEP persons and assist them with the transportation program.

AMERICAN COMMUNITY SURVEY

OPARC does not offer transportation to the general public. Therefore, an analysis of public demographic data in San Bernardino County does not represent actual populations served by this program but is offered for comparison purposes only. The available data for San Bernardino County from the U.S. Census Bureau American Community Survey 2017 was analyzed. The U.S. Census Bureau 2015 American Community Survey (ACS) indicated

that 41.1% of residents of San Bernardino County speak a language other than English- 33.8% speak in Spanish.

	Estimate	Percentage
Population 5 years and older	1,967,150	100%
Speak only English	1,159,005	58.9%
Speak a language other than English	808,145	41.1%
Spanish	664,222	33.8%
Asian & Pacific Island Languages	96,227	4.9%
Other Indo-European Languages	29,459	1.5%
Other Languages	18,187	0.9%

FACTOR 2: The frequency with which LEP persons come in contact with OPARC’s program, service or activity.

Since OPARC does not offer transportation to the general public, we primarily rely on the agency’s demographics. The Omnitrans data is consistent with OPARC’s client population. Approximately 15% of OPARC’s clients are monolingual non English speaker and 61% of the clients served by OPARC are ethnically diverse. Ethnic OPARC currently serves:

	Percentage	Percentage of LEP Persons in each Ethnic Group
Asian/Pacific Islander	5%	1%
Caucasian	39%	0%
African American	10%	0%
Hispanic	36%	15%
Other	10%	1%

FACTOR 3: The nature and importance of programs, services or activities provided by OPARC to the LEP population.

OPARC offers a variety of innovative programs to the children and adults with special needs as well as supports to their families. The majority of OPARC participants use county paratransit or regional contracted bus to attend OPARC programs and activities. Due to their developmental disabilities, they are unable to utilize county public transit. OPARC’s staff transport OPARC participants for outings using the OPARC fleet of vehicles. OPARC ensures to provide meaningful access to LEP participants through language assistance.

OPARC, with its many programs, services and activities, needs transportation services that can operate and maintain a set schedule. OPARC is committed to provide as many opportunities as possible for its participants to integrate in the community. The transportation service is an important component to achieve the goal. OPARC is also committed to translating vital documents relating to its service. Vital documents are those information about the agency’s Title VI Program.

FACTOR 4: The resources available to OPARC program and overall cost to provide LEP assistance.

OPARC’s operating budget does not have a specific line item for providing LEP outreach. OPARC is committed to provide programs to the underserved LEP population through translation and documents in different languages. Outreach allocations related to LEP this fiscal year include but are not limited to:

- Website updates \$200

SUMMARY OF THE FOUR FACTOR ANALYSIS

After analyzing the four factors outlined in U.S. DOT policy guidance, OPARC has determined that a language assistance plan is a continuing effort OPARC is committed in executing. OPARC ensures that LEP individuals have meaningful input and access to OPARC programs. These measures are outlined in the following section.

OPARC President/CEO, Stacey M. Proctor, oversees the Title VI Program. She can be reached:

Stacey M. Proctor
OPARC President/CEO
9029 Vernon Ave
Montclair, CA 91763
(909) 985-3116
sproctor@oparc.org

Responsibility for Implementing the Language Assistance Plan

The Title VI Program Administrator is responsible for overseeing the implementation of this plan and assigning tasks as appropriate.

OPARC’s Title VI Program Administrator is:

Peggy Benson – Director of Human Resources
OPARC
9029 Vernon
Montclair, CA 91763
909-985-3116 ext. 127
Email: pbenson@oparc.org

Safe Harbor Provision - applies to the translation of written documents only:

The Federal Transit Authority Circular 4702. 1B states: 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, which 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 recipients's written translation obligations. Translation of non-vital documents, if needed, can be provided. Based on the Four Factor Analysis, Spanish is the quantifiable language within OPARC service area that is limited-English proficient. Vital documents are translated in accordance with clientele requests; if needed, translation of other non-vital documents can be provided orally by staff, volunteers, family members, and caregivers. OPARC provides notices to LEP persons about the availability of language assistance through intake, daily program activities, and program updates. Language is provided not only to the client but to the family member when necessary.

Describe how the agency provides language assistance services by language:

Each of OPARC's 8 sites provides notices to LEP persons regarding the availability of language assistance at the site. Approximately 40% of OPARC staff speak Spanish.

Describe how the agency provides notice to LEP persons about the availability of language assistance:

- Translation into Spanish of key documents including the Title VI information.
- Title VI notices are posted in English and Spanish in OPARC vehicles, office reception area and on website.
- 59% of OPARC staff and volunteers are bilingual who can provide language assistance to LEP persons

Describe how the agency monitors, evaluates and updates the language access plan

A thorough review of the Language Assistance Plan is undertaken every three years in accordance with the Title VI circular, concurrent with updating and submitting the OPARC's Title VI Program. At the time, the LEP population is reassessed to ensure all significant LEP languages are included in OPARC's language assistance efforts. The following reoccurring reporting and evaluation measures are used to update the Language Assistance Plan:

1. OPARC regularly assesses the effectiveness of how OPARC communicates with LEP individuals by:
 - Including questions about language assistance and information needs on any community surveys
2. OPARC tracks its language assistance efforts, including:
 - Reporting front-line staff's interactions with LEP

Describe how the agency trains employees to provide timely and reasonable language assistance to LEP populations

OPARC provides the following training to staff:

- Information on the Title VI policy and LEP responsibilities
- Description of language assistance services offered
- Documentation of language assistance requests
- How to handle a potential Title VI/LEP complaint

The transportation program holds a quarterly meeting with drivers to discuss any changes in policies and procedures and identify any needs or issues that arise. Any needs or issues regarding LEP individuals are discussed at the meeting and brought forward to management for discussion and resolution.

Section VIII.

Membership of Non-Elected Committees and Councils

OPARC does not have a non-elected transit related advisory council at this time.

Section IX.

Construction of Facilities

OPARC does not construct facilities at this time.