

Title VI Complaint Procedures

As a recipient of federal dollars, the Noah Homes is required to comply with Title VI of the Civil Rights Act of 1964 and ensure that services and benefits are provided on a non-discriminatory basis. Noah Homes has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in the Federal Transit Administration Circular 4702.1B, dated October 1, 2012.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by Noah Homes may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The complaint should be submitted by the complainant or the complainant's authorized representative as soon as possible but no later than 180 calendar days after the alleged violation to:

Kim Lober, Title VI Director
12526 Campo Road
Spring Valley, CA 91978-2354
Tel: 619.660-6200 |Free Relay Service: 711

Within 15 calendar days after receipt of the complaint, Kim Lober or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Kim Lober or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Noah Homes and offer options for substantive resolution of the complaint.

If the response by Kim Lober or her designee does not satisfactorily resolve the issue, the complainant and her designee may appeal the decision within 15 calendar days after receipt of the response to the Noah Homes Human Resources Director or her designee (collectively, "Human Resources Director").

Within 15 calendar days after receipt of the appeal, the Human Resources Director will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Human Resources Director will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Kim Lober or her designee, appeals to the Human Resources Director, and responses from these two offices will be retained by Noah Homes for at least three years.

Any person may also file a complaint directly with the Federal Transit Administration, at the following address:

FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590.

3. List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Noah Homes has not been involved in any transportation-related Title VI investigations, lawsuits or complaints.

Noah Homes List of Investigations, Lawsuits and Complaints

Type of Process	Date	Summary (including basis of complaint)	Status	Action(s) Taken
Investigations				
1. <i>None</i>				
2.				
Lawsuits				
1. <i>None</i>				
2.				
Complaints				
1. <i>None</i>				
2.				

4. Public Participation Plan

The Public Participation Plan outlines the strategies that Noah Homes will use to engage the public in the process of transportation decisions. This plan is utilized to cultivate relations with the community and encourage interaction with minority and non-English speaking residents. Public Notices and general information will be provided in both English and Spanish.

a. OPPORTUNITIES FOR PUBLIC COMMENT:

Noah Homes routinely provides opportunities for public comment, and continually strives to find new and innovative opportunities to solicit public comments and involve all segments of the population. Comments are accepted at any time by phone, fax, email, US mail, through social media (e.g. Facebook) in person, or at any open meeting. Examples of these opportunities include:

- **San Diego East County Chamber of Commerce:** Noah Homes is a member of the Chamber of Commerce, which serves business owners of varying race, color and national origin. Additionally, Noah Homes provides meeting space annually for the First Friday Breakfast for the East County Chamber of Commerce.
- **HomeAid San Diego:** Noah Homes collaborates with HomeAid San Diego to provide toiletries for the homeless. The recipients are of varied ethnic backgrounds of race and are of low income.
- **Noah Homes Rider Surveys:** Noah Homes conducts rider surveys at least once per year. Caregivers who accompany Riders are asked to comment about the transportation services and make suggestions. These surveys are mailed to volunteer drivers and handed out directly to Out & About rider caregivers. Our Riders have difficulty speaking due to their disabilities and some are unable to communicate.
- **Community Events & Presentations:** Noah Homes staff members regularly make presentations to community groups (e.g. Alzheimer's Association, Down Syndrome Association, San Diego Regional Center and La Mesa Sunrise Rotary) about the services Noah Homes provides to individuals with developmental disabilities. These meetings and presentations are generally advertised by press release, on the Noah Homes website and publications. These meetings and presentations provide an opportunity for members of the public to learn and make comments on Noah Homes programs for residents, including transportation programs.

b. ENGAGING TITLE VI PROTECTED GROUPS

Noah Homes realizes that there are large segments of the population from whom input is rarely, if ever received. In an effort to hear a truly representative voice of the public, Noah Homes will make all significant service-related planning and policy publications available in accessible formats for seniors, including those with disabilities through the following steps.

- Continue to make senior transportation related documents (e.g. informational brochures and rider applications) available in Spanish.
- Continue to provide Spanish speaking staff to communicate with our senior transportation program's largest non-English speaking population.
- Communicate with our bi-lingual Spanish speaking program resident families to request the ability to make presentations to their religious, community connections or other groups with significant LEP populations.

c. PUBLIC OUTREACH

Noah Homes staff participate in various community events and conducts presentations at various organizations, community groups, public and private schools, and religious organizations to provide information on Noah Homes programs and to determine what services are most frequently sought by LEP population.

d. STAFF ACCESSIBLE

Noah homes has a list of over 10 regular employees that are accessible in person, on the phone, by mail, by fax, or by email for Spanish translation services.

e. PROVIDE SERVICE FOR THE DISABLED AND LEP

Upon advanced notice, special accommodations will be provided for public meetings. These services include translators, special assistance, and or transportation.

Purposes of this Plan

Public participation is the process through which stakeholders can partake directly in agency decision-making, and express their concerns, desires, and values. It is the purpose of this plan to improve the lives of individuals in San Diego with developmental disabilities, by creating transportation opportunities to maximize their independence. At every opportunity, Noah Homes will solicit input from stakeholders in order to best support persons served without creating disproportionately high and adverse human health or environmental impact on minority and/or low-income populations.

Summary of Outreach Efforts

The following is a summary of outreach efforts conducted by Noah Homes as they relate to Title VI requirements under the Public Participation Plan. Many of our activities are conducted in partnership with other agencies or ad hoc outreach with other service organizations and non-profit agencies within the community. This is in no way a complete list but rather documents the agency's outreach efforts as they relate specifically to minority and low-income populations.

San Diego People's First: Noah Homes has its own group of residents involved in "People's First," which promotes self-advocacy, choice, independence, and feedback to the organization. People's first meetings are open to the public and announced on the agency's website.

Vendor Advisory Committee: Noah Homes staff participate in Vendor Advisory Committee meetings. This committee provides feedback to the San Diego Regional Center about services provided, challenges to providing services and discussions about critical issues for people with developmental disabilities.

Developmental Disabilities Provider Network (DDPN) Legislative Forum: Noah Homes participates annually as an exhibitor at the DDPN Legislative Forum. This event is designed to inform individuals with disabilities and their care providers of possible services available in San Diego County. The event also highlights the current political issues that impact people with disabilities. This event attracts over 200 guests and features an ASL interpreter when requested.

San Diego Regional Center: The San Diego Regional Center is the sole referral agency for Noah Homes. The program does not serve the general public but rather a limited population of adults with developmental disabilities. As such, the program works in conjunction with the San Diego Regional Center and other agencies to achieve outreach opportunities. Noah Homes continually strives to inform the community about its services and programs- via staff outreach, brochures, press releases, our website (www.noahhomes.org) and a bi-annual Noah Navigator newsletter. Noah Homes participates actively in the community through public cultivation and participation in community events such as Club Noah, which was newly formed in 2020 to provide a support group for wait-listed families.

Language Assistance Plan

Overview

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating against or otherwise excluding individuals on the basis of race, color, or national origin in any of their activities. It has been recognized that one form of discrimination occurs through an inability to communicate due to a limited proficiency in the English language. Title VI of the Civil Rights Act of 1964, Executive Order 13166, and

various directives from the US Department of Justice (DOJ) and the US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those who do not speak English proficiently.

To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors. The following sections address each of these with respect to the Noah Homes transportation service area. Noah Homes’ service area is San Diego County which aligns with the data reported in the table below.

Factor 1: Review of LEP Populations:

Understanding the needs of the community begins with identifying the number of Limited English Proficiency (LEP) persons eligible to be served, likely to be served, or likely to be encountered by Noah Homes through its programs, services, or activities.

Methodology for Data Sources:

- To determine potential LEP needs in the Noah Homes service area, staff reviewed the latest data available through the US Census Bureau American Community Survey for 2017.

American Community Survey

The U.S. Census Bureau 2017 Estimate American Community Survey (ACS) Language Spoken at Home by the Ability to Speak English estimates that of the 3,070,763 San Diego residents, 37.68% speak Spanish at home and 14.63% speak English less than "very well." In addition, 7.28% are considered LEP as they speak English less than "well."

English Proficiency for San Diego County*

County	Total Population Age 5 and Older	Speaks English Only	Speaks English "Well" or "Very Well"	Speaks English "Less than Well"	Percentage Less than "Well"
San Diego	3,070,763	1,913,789	933,518	223,456	7.28%

**Source: 2013-2017 ACS 5-Year Estimates, Table V 16004*

Factor 2: Assessing Frequency of Contact with LEP Persons.

LEP persons infrequently come in contact with Noah Homes. This is primarily because special needs individuals are often kept within family unit residences, limiting the number of residents who come to us as LEP persons; in July of 2019, there were 2 bilingual Spanish-English speaking participants and 3 bilingual Spanish-English staff members. Currently, there are no LEP persons that are residents at Noah Homes. Most of our residents have difficulty communicating verbally due to their intellectual and cognitive disabilities.

During the past year, there have been no requests for interpreters and translation services.

Factor 3: Assessing the Importance of the Noah Homes Services.

The purpose of the Noah Homes Residential Transportation Program is to enhance the lives of individuals with intellectual and developmental disabilities by promoting independence and self-sufficiency, providing affordable and accessible transportation, and reducing social isolation. There are currently 90 residents registered with the *Noah Homes Residences* transportation program. This program supports group *and* individual trips for shopping, medical appointments, social activities, and other errands within San Diego city boundaries, as well as outside of the boundaries in areas such as El Cajon. In addition to drivers, Noah Homes residents are accompanied by qualified behavior specialists during these transportation trips.

Factor 4: Determining Available Resources.

Noah Homes provides information in Spanish for rider applications and informational brochures. Several staff and volunteers are bilingual in Spanish and are available for translation services.

Safe Harbor Provisions

The Federal Department of Transportation has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for Federal Funding recipients regarding translation of written materials for LEP populations.

"The 'Safe Harbor Provision' as defined by Department of Justice, 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 encountered, then such action will be considered

strong evidence of compliance with the recipient's written translation obligations."

At Noah Homes, all language groups other than English have estimated populations of less than 1% of the total population. The Out & About rider application is the vital document for our program and is available in both English and Spanish.

Language Assistance Services

While Noah Homes does not currently have an on-going need for professional translation services, on-site staff who are fluent in Spanish provide translation services as needed. Additionally, bilingual in Spanish family members volunteers are occasionally used to provide translation services.

Communicating Availability of Language Assistance

Noah Homes maintains a roster of staff that can provide translation in Spanish and several other languages. Many of our residents have developmental disabilities including severe speech impediments. Our staff refer residents' family members to bi-lingual employees for translation services. If translation is needed for another language, staff are trained to utilize Google Translator on their cellular mobile devices. Google Translator is voice-activated and allows two people who speak different languages to communicate effectively.

Monitoring

Noah Homes maintains an ADA/Section 504 Accessibility Plan, designed to minimize barriers created by architectural factors, environmental factors, employment barriers, and communication barriers such as language. This plan is reviewed and updated, if necessary, bi-annually.

Additionally, Noah Homes maintains a Limited English Proficiency (LEP) plan, which is updated bi-annually by Human Resources staff. The plan is reviewed periodically for accuracy, compliance with regulations, and to ensure any necessary updates are incorporated. Noah Homes continually evaluates LEP persons served and ensures translation services are made available to individuals who request them. Noah Homes provides additional language assistance measures (including TDD and sign language interpretation upon request).

Satisfaction Surveys for the *Noah Homes Transportation Program* offer an opportunity for our residents', their families and behavior specialists to provide input or suggest additional services. To date, translation services for satisfaction surveys have not been requested. In 2021, we will work toward creating the survey in Spanish.

Training

Noah Homes staff are trained to utilize the list of bilingual employees when oral Spanish translation services are needed. Noah Homes Drivers and Transportation Program staff are specially trained to refer participants in need to translation service to either program

staff, other bilingual staff at Noah Homes. Staff are trained to utilize the Language Line if translation is needed for another language.

Membership of Non-Elected Committees and Councils

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

Title VI Equity Analysis

Noah Homes does not have transit related facilities.

Resolution No. 2020-14

RESOLUTION OF THE BOARD OF DIRECTORS OF NOAH HOMES APPROVING THE 2020 TITLE VI PROGRAM AND POLICIES

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

WHEREAS, as a subrecipient of federal funds, Noah Homes is required to comply with the requirements of the Act and applicable implementing regulations; and

WHEREAS, pursuant to FTA Circular 4702.1B, Noah Homes is required to submit its Title VI program to its governing entity for approval; and

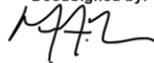
WHEREAS, Noah Homes has considered and determined to approve the organization’s 2020 Title VI program and policies as set forth in the attached Exhibit A entitled “Title VI Program,” including but not limited to carry out a Limited English Proficiency Four Factor Analysis and adopt a Language Assistance Plan;

NOW, THEREFORE, BE IT RESOLVED:

That the Noah Homes Board of Directors hereby approves the organization’s 2020 Title VI program and policies as set forth in the attached Exhibit A entitled “Title VI Program.”.

9/16/2020

Dated: _____

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Presiding Officer

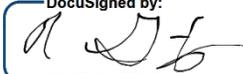
Attest:

DocuSigned by:

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Recording Secretary

Approved as to Legal Sufficiency:

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Legal Department