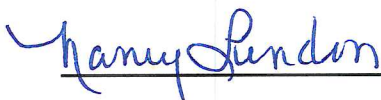


Limited English Proficiency Plan

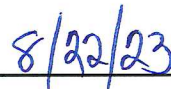
Senior Meals & Services, Inc.

August 2023

TITLE VI COORDINATOR
Cathy Saele-Odendaal, Executive Director
202 4th Ave NE, Devils Lake, ND 58301
701-662-5061



Board of Directors



Date of Approval

Senior Meals & Services, Inc.
Formal Approval Policy

This policy has been approved by the Senior Meals & Services, Inc. Board of Directors and will be strictly adhered to.

INTRODUCTION

This ***Limited English Proficiency Plan (LEP)*** has been prepared to address the **Senior Meals & Services, Inc.** responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled ***Improving Access to Services for Persons with Limited English Proficiency***, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all **Senior Meals & Services, Inc.** departments and subrecipients receiving federal grant funds.

Plan Summary

The **Senior Meals & Services, Inc.** has developed this ***Limited English Proficiency Plan*** to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the **Senior Meals & Services, Inc.** used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the **Senior Meals & Services, Inc.**
2. The frequency with which LEP persons come in contact with **Senior Meals & Services, Inc.** services.
3. The nature and importance of services provided by the **Senior Meals & Services, Inc.** to the LEP population.
4. The interpretation services available to the **Senior Meals & Services, Inc.** and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require **Senior Meals & Services, Inc.** services.

The **Senior Meals & Services, Inc.** staff reviewed the most current 2015 American Community Survey 5 Year Estimate and determined that 605 persons in Senior Meals & Services, Inc. 046% of the population speak a language other than English. Of those 605 persons 171 (.28%) have limited English proficiency; that is, they speak English “not well” or “not at all”, this is .013% of the overall population in the service area. In Senior Meals & Services, Inc.’s service area, of those persons with limited English proficiency, 55 speak Spanish, 51 speak Indo-European, 46 speak Asian or other Pacific Islander and 19 speak other languages.

2. The frequency with which LEP persons come in contact with Senior Meals & Services, Inc. services.

The **Senior Meals & Services, Inc.** staff reviewed the frequency with which the board/council, office staff and bus/van drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the **Senior Meals & Services, Inc.** has had no requests for interpreters and no requests for translated program documents. The board/council, office staff and bus/van drivers have had very little contact with LEP persons.

3. The nature and importance of services provided by the Senior Meals & Services, Inc. to the LEP population. There is no large geographic concentration of any type of LEP individuals in the service area for the **Senior Meals & Services, Inc.** The overwhelming majority of the population 99.9%, speak only English. As a result, there are few social, service, professional and leadership organizations within the **Senior Meals & Services, Inc.** service area that focus on outreach to LEP individuals. The **Senior Meals & Services, Inc.** board/council, office staff and bus/van drivers are most likely to encounter LEP individuals through bus/van rides, office visits, phone conversations, and attendance at Board/Council meetings.

4. The resources available to the Senior Meals & Services, Inc., and overall costs to provide LEP assistance.

The **Senior Meals & Services, Inc.** reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, Google translate to provide translation if needed within a reasonable time period. Other language translation if needed would be provided through a telephone interpreter line for which the **Senior Meals & Services, Inc.** would pay a fee.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to **Senior Meals & Services, Inc.** services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the **Senior Meals & Services, Inc.** staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All **Senior Meals & Services, Inc.** staff will be provided with “I Speak” cards, Google Translate, to assist in identifying the language interpretation needed if the occasion arises.
- All **Senior Meals & Services, Inc.** staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the **Senior Meals & Services, Inc.** sponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures

Although there is a very low percentage in the **Senior Meals & Services, Inc.** of LEP individuals, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. The **Senior Meals & Services, Inc.** staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Language interpretation will be accessed through Google translate available on the tablets in the buses.
 - Language interpretation will be accessed for all other languages through a telephone interpretation service.

STAFF TRAINING

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the “I Speak” cards
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the Senior Meals & Services, Inc. will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

The **Senior Meals & Services, Inc.** weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Senior Meals & Services, Inc. has developed a Public Participation Plan and has an outreach procedure in place, as of 2020. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, the **Senior Meals & Services, Inc.** will consider the following options:

- 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.

MONITORING

Monitoring and Updating the LEP Plan - The **Senior Meals & Services, Inc.** will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the **Senior Meals & Services, Inc.** service area. Updates will include 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 local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the **Senior Meals & Services, Inc.** financial resources are sufficient to fund language assistance resources needed.
- Determine whether the **Senior Meals & Services, Inc.** fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

DISSEMINATION OF THE **Senior Meals & Services, Inc.** LEP PLAN

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request at 701-662-5061.

Senior Meals & Services, Inc.

EXTERNAL COMPLAINTS OF DISCRIMINATION

PART I - COMPLAINANT INFORMATION (Print all items legibly.)

Name		Telephone
Street Address/P.O. Box		Email Address
City	State	Zip Code

PART II - CAUSE OF DISCRIMINATION OR COMPLAINT BASED ON [Check all appropriate box(s).]

Title VI of the Civil Rights Act of 1964

☐ Race ☐ Color ☐ National Origin

Other Nondiscrimination Statutes/Executive Orders

☐ Sex ☐ Disability ☐ Limited English Proficiency ☐ Age ☐ Income Status

PART III - THE PARTICULARS ARE: (Include names, dates, places, and incidents involved in the complaint.) [If additional space is needed, attach extra sheet(s).]

PART IV - REMEDY SOUGHT [State the specific remedy sought to resolve the issues(s).]

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PART V - VERIFICATION

Complainant's Signature _____ Date _____

Instructions

GENERAL

1. Instructions provided within this form are not meant to be all inclusive. Any person or group(s) of persons filing external complaints of discrimination are responsible for all procedural requirements contained in the External Complaints of Discrimination process.
2. Under Title VI of the Civil Rights Act of 1964 or the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color, national origin; or sex, age, disability, limited English proficiency, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by **Senior Meals & Services, Inc.**. Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the **Senior Meals & Services, Inc. Title VI** Complaint Procedure.
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to **Executive Director, Senior Meals & Services, Inc. 202 4th ST NE Devils Lake, ND 58301, 701-662-5061**, TTY users may use Relay North Dakota at 711 or (800)366-6888.

PART I

Complete all information in this section.

PART II

Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories under Title VI or Other Nondiscrimination Statutes/Executive Orders. If the complaint pertains to service and the type is not listed, select "Other" and describe.

PART III

State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

PART IV

State the minimum remedy acceptable for resolution of this complaint.

PART V

Sign and date this section to verify the information contained in Parts I through IV.

External Complaints of Discrimination

A. Introduction

Senior Meals & Services, Inc.'s External Complaints of Discrimination process is consistent with the Federal Transit Administration's (FTA) Title VI complaint procedures filed under Title VI of the Civil Rights Act of 1964 (and related nondiscrimination statutes), Title II of the Americans with Disabilities Act of 1990, and/or Section 504 of the Rehabilitation Act of 1973. The related nondiscrimination statutes, regulations, Executive Orders (E.O.), directives, and other references are available upon request.

B. Agencies Authorized to Receive Complaints

Complaints may be submitted to one of the following: Sub Recipient of NDDOT, NDDOT, FTA, the United States Department of Transportation (USDOT), or the United States Department of Justice (USDOJ). See Appendix A.

C. Persons Eligible to File

Any person or any specific class of persons, by themselves or by a representative, that believe they have been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964 (Race, Color, or National Origin), Section 504 of the Rehabilitation Act of 1973 (Section 504), or Title II of the Americans with Disabilities Act of 1990 (ADA), or related statutes (age, sex, or income status), may file a complaint.

D. Filing a Complaint

1. A complaint is a written or electronic statement concerning an allegation of discrimination that contains a request for the receiving office to take action. Complaints should be complete and sign Senior Meals & Services, Inc.'s External Complaints of Discrimination form and file by mail, fax, in person, or e-mail. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint, i.e., race, color, national origin; or sex, age, disability, income status, or limited English proficiency;
 - d. The identification of the respondent, i.e., agency/organization alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred; and
 - f. The date(s) of the alleged discriminatory act(s).
2. While the above indicates a complaint should be in writing and signed, Senior Meals & Services, Inc. will accept complaints in alternate formats from persons with disabilities, upon request.

- a. Upon request to Senior Meals & Services, Inc., the complaint may be filed on a compact disk (PDF, work document, or audio recording are all acceptable formats) or in Braille.
3. The complainant may contact Senior Meals & Services, Inc., for assistance in filing a complaint. Senior Meals & Services, Inc. will consider every request for reasonable accommodation to provide:
 - a. Accommodation for people with disabilities;
 - b. Language interpretation for people with limited English proficiency (LEP);
 - c. Translation of written materials necessary to access Senior Meals & Services, Inc. programs and information.

To request accommodations, complainants may contact: 701-662-5061.

TTY users may use Relay North Dakota at 711 or (800)366-6888.

E. Timeframes for Filing a Complaint

1. Complaints must be filed within 180 calendar days of the last date of the alleged discrimination, unless the time for filing is extended. The filing date of the complaint is the earlier of:
 - a. The postmark of the complaint, or
 - b. The date the complaint is received by any agency that has jurisdiction for the complaint. See Appendix A.

F. Complaints Received by Senior Meals & Services, Inc. Under FTA Jurisdiction

1. Complaints filed under Title VI, related statutes, and Section 504/ADA in which Senior Meals & Services, Inc. is named as respondent will be forwarded by Senior Meals & Services, Inc. to NDDOT Civil Rights Division.
2. Title VI, related statutes, and Section 504/ADA complaints filed directly with Senior Meals & Services, Inc. against its sub recipients or contractors will be processed by Senior Meals & Services, Inc. in accordance with the FTA approved complaint procedures under FTA C 4710.1, FTA C 4702.1B, 49 CFR 27.13(b).
3. Senior Meals & Services, Inc. may investigate complaints against its sub recipients or contractors as follows:
 - a. The complaint will be reviewed within 10 business days to determine whether it contains all of the necessary information required for acceptance.
 - b. If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form and the Notice About Investigatory Uses of Personal Information fact sheet.
 - c. If the complaint is incomplete, the complainant will be contacted in writing or by telephone to obtain the additional information. The complainant will be given 10 business days to respond to the request for additional information.
 - d. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, or if the complainant no longer wishes to pursue their case, the Senior Meals & Services, Inc. can issue a letter and administratively close the case.

G. Complainant is Represented by an Attorney

Complainants represented by an attorney should provide a letter of representation.

H. Timeframes for Investigations by Senior Meals & Services, Inc.

1. For Title VI or related statutes complaints, Senior Meals & Services, Inc. is required to follow the FTA C 4702.1B to comply with reporting requirements of 49 CFR 21.9(b). The investigation information is recorded on the Transit Title VI – List of Investigations, Lawsuits, and Complaints (SFN 60805) and submitted to NDDOT every year. Although, FTA regulations do not specify a timeframe for the investigation of Title VI complaints, the Senior Meals & Services, Inc. attempts to complete investigations within 90 calendar days of receipt of the complaint from NDDOT.
2. For Section 504/ADA complaints, Senior Meals & Services, Inc. is required to follow the FTA C 4710.1 to comply with reporting requirements of 49 CFR 27.121(b). Senior Meals & Services, Inc. shall forward a copy of the complaint, together with a copy of the report of investigation within 90 calendar days of receipt of the complaint to NDDOT and FTA.

I. Letters of Finding (LOFs)

1. The FTA has delegated authority for issuing LOFs for Title I, related statutes, and Section 504/ADA complaints processed by FTA.
2. Senior Meals & Services, Inc. has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by Senior Meals & Services, Inc. against FTA funded sub recipients or contractors.

J. Appeals

1. LOFs issued by the FTA are administratively final.
2. Closure letters or LOFs issued by Senior Meals & Services, Inc. under FTA jurisdiction on Title VI, related statutes, and Section 504/ADA are administratively final. Individuals or a specific class of individuals, personally or through a representative, may submit a complaint to the North Dakota Department of Transportation (NDDOT) or Federal Transit Administration (FTA) within 180 days from the date of the alleged discrimination.

APPENDIX A

Agencies Authorized to Receive and Process Complaints of Discrimination

North Dakota Department of Transportation

Civil Rights Division
608 E. Boulevard Avenue
Bismarck, ND 58507-0700

Phone: (701) 328-2576
Fax: (701) 328-0343
TTY: 711 or (800) 366-6888

Federal Transit Administration (FTA)

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Phone (888) 446-4511

United States Department of Transportation (USDOT)

Departmental Office of Civil Rights
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Phone: (202) 366-4649
Fax: (201) 202) 366-5575
TTY/Assistive Device: (202) 366-9696

USDOJ – Race, Color, National Origin Complaints

Federal Coordination & Compliance Section – NWB
Civil Rights Division
U.S. Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Phone: (888) 848-5306 (English & Spanish)
(202) 307-2222 (voice)
(202) 307-2678 (TDD)

USDOJ – ADA Complaints

US Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Civil Rights Division
Disability Rights Section 1425 NYAV
Washington, DC 20530

Fax: (202) 307-1197

ADA Information Line: (800) 514-0301 (voice) or
(800) 514-0383 (TTY)
Main Section Telephone Number:
(202) 307-0663 (voice and TTY)

How to Access Over the Phone Interpretation Services

Step 1: Call 1 888-338-7394

Step 2: Enter Account Number **16483**, followed by # sign

Step 3: Select 1 to be connected directly to your Spanish interpreter, or
Select 2 to be connected directly to your Russian Interpreter, or
Select 3 to be connected directly to your Vietnamese interpreter,
or
Select 4 to be connected directly to your Somali Interpreter, or
Select 9 for all other languages

***If you require a 3rd party call, press 9 to reach a Customer Service Representative**

Step 4: Enter Department ID, followed by # sign

FAQs:

What if I do not know my Account number?

You do need this information in order to reach the interpreter directly. If you are unsure of your account number, wait and the system will direct you to a live operator who will look up your account.

What is a third party call?

A third party call is when you need Language Link to call the LEP client and then bridge the call together with you and the interpreter.

How do I make a third party call with Language Link?

If you need a third party call, **press 9 (even for Spanish)** to reach a Customer Service Representative (CSR) and let the operator know you need a third party call. We are happy to assist you with this at no additional charge. Our *interpreters are not able to make the third party call* directly.

I need another language other than the ones listed. How do I get my interpreter on the line?

Press 9 for other languages and let the CSR know which language you require and they will connect you. If the language is unknown, you may reference the "Point to your Language" visual for help with most requested languages or ask a representative for assistance.

What number should I call if my toll-free interpretation line isn't working?

Language Link understands that some telephone providers do not allow customers to access toll free lines. Because we want to ensure our customers have access to interpretation services, we assign backup local numbers for customers that may fall into this category. If you are unable to access the toll-free interpretation line assigned to your account, you may access interpretation services by dialing the backup number **360-314-0728**. Please note, you may incur long distance charges from your telephone provider when accessing the backup local number.

Please contact our Client Relations Team if you have any further questions:

Email: ClientRelations@Language.Link

Toll Free: 1-855-579-2704

CONTRACT INFORMATION	
CONTRACT NAME	On-Demand Remote Interpreting and Document Translation
CONTRACT NUMBER	489
CONTRACT PERIOD	11/04/2019 – 11/03/2024
CONTRACT ADMINISTRATOR	Amy Cannon
PHONE NUMBER	(701) 328-2690
CONTRACTORS	
CONTACT INFORMATION	SERVICES OFFERED
LANGUAGE LINK Contract Rep: George Schoeck (360) 433-0401 naspo@language.link	- On-Demand Remote Over the Phone Interpreting - On-Demand Remote Video Remote Interpreting - On-Demand Remote Document Translation
VOIANCE LANGUAGE SERVICES, LLC Contract Rep: Bill Martin (866) 742-9080 ext. 1708 bmartin@boiance.com	- On-Demand Remote Over the Phone Interpreting - On-Demand Remote Video Remote Interpreting - On-Demand Remote Document Translation

CONTRACT SERVICES

The Contractor(s) will provide over-the-phone language interpreter services for customers and their clients who need immediate interpreter assistance. These services are required to assist Limited English Proficiency (LEP) clients uncomfortable speaking English, or whose English is not clearly understood. Immediate Telephone Based Interpreter Services will facilitate communication between clients and customers at a service provider facility when an on-site interpreter is not available or is cost prohibitive for all Participating States. Further services include Video Remote Interpretation (VRI) and Written Document Translation. See each Contractor's Master Agreement for specific services.

COOPERATIVE PURCHASING CONTRACT

This contract is a cooperative purchasing contract established pursuant to North Dakota Century Code Section 54-44.4-13. This contract is made available to state entities, institutions under the jurisdiction of the State Board of Higher Education, other government entities (including counties, cities, townships, public primary and secondary educational entities, governmental boards and commissions), nonprofit entities established on behalf of public entities, tribal agencies, transportation providers under N.D.C.C. § 39-04.2, and the International Peace Garden.

600 E Boulevard Ave, Dept 110 | Bismarck, ND 58505-0400 | nd.gov/omb

DIRECTOR
& ADMINISTRATION
4th Floor
701.328.4904

CENTRAL
SERVICES
14th Floor
701.328.2740

FACILITY
MANAGEMENT
4th Floor
701.328.2471

FISCAL
MANAGEMENT
4th Floor
701.328.2680

HUMAN RESOURCE
MANAGEMENT SERVICES
14th Floor
701.328.3293

RISK
MANAGEMENT
1600 E Century Ave, Suite 4
Bismarck, ND 58503
701.328.7584

TRANSIT TITLE VI-LIST OF INVESTIGATIONS, LAWSUITS, AND COMPLAINTS

North Dakota Department of Transportation, Local Government
SFN 60805 (8-2017)

Name of Transit Provider/Agency

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by Federal Transit Administration (FTA) and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

Providers must submit form upon receipt of notification of complaint and annually upon request by the NDDOT Transit Section. Please attach additional documentation as needed. If you have not had any investigations, lawsuits, or complaints, please enter "None" in each category on the annual report.

		DATE (MM/DD/YYYY)	SUMMARY OF ALLEGATION(S) (include basis of complaint: race, color or national origin)	CURRENT STATUS	ACTION(S) TAKEN/FINAL FINDINGS
INVESTIGATIONS	1.				
	2.				
	3.				
	4.				

LAWSUITS	1.				
	2.				
	3.				
	4.				

COMPLAINTS	1.				
	2.				
	3.				
	4.				

Name (Type or Print)

SignatureDate