

East Tennessee Human Resource Agency

Public Transit Program

Title VI Program

Federal Transit Administration

(FTA)

June 1, 2018

ELEMENTS

- ❖ Title VI Notice to the Public, including a list of locations where the notice is posted
- ❖ Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- ❖ Title VI Complaint Form
- ❖ List of transit-related Title VI investigations, complaints, and lawsuits (N/A-None)
- ❖ Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- ❖ Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- ❖ Table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees (N/A)
- ❖ Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions (N/A)
- ❖ A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. (N/A)
- ❖ Requirements of Fixed-Route Transit Providers (N/A)

Public Notification of Title VI Rights

East Tennessee Human Resource Agency

Public Transit Program

- **The East Tennessee Human Resource Agency operates without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under the Title VI may file a complaint with ETHRA.**
- **For more information on ETHRA’s civil rights program and the procedures to file a complaint, call 865-691-2551 (TTY 865-681-1990); e-mail sbandy@ethra.org; or visit our office at 9111 Cross Park Drive, Suite D-100, Knoxville, TN, 37923. For more information, visit www.ethra.org.**
- **A complaint may be files directly with the Federal Transit Administration by writing the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC, 20590,**
- **OR**
- **Cynthia Howard, Title VI Program Director
Tennessee Department of Transportation, Civil Rights Office, James K. Polk Building,
505 Deaderick St., Suite 1800 Nashville, TN 37243-0347
615.741.3681, Toll Free: 1.888.370.3647**
- **If information is needed in another language, contact 865-691-2551.**

*** Si se necesita información en otro idioma, llame 865-691-2551.**

(Note: Posted in all ETHRA offices)

East Tennessee Human Resource Agency
Public Transit Program

Title VI Complaint Procedures

The Title VI Officer will promptly investigate all complaints of alleged discrimination. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the Title VI Officer will inform every complainant of all of his/her avenues of appeal.

While this procedure is directed at the processing of Title VI or other Equal Opportunity (EO) complaints, as a general proposition, complaints alleging either discriminatory impact/effect in the context of environmental justice will follow the complaint processing described below.

1. Acceptance of the Complaint -Upon receiving a Title VI/ EO complaint, the Title VI Officer will determine whether the complaint states a valid claim. A copy of the complaint will immediately be forwarded to the Tennessee Human Rights Commission (THRC) for jurisdictional determination. If the complaint states a valid claim, it will be accepted for processing immediately and added to the complaint log. The complainant and ETHRA will be notified. In addition, the funding source for the program involved will immediately be notified that a complaint has been made and an investigation has begun. Both the funding source and THRC will receive regular updates regarding the case and a copy of the final decision (see Section 3).

2. Investigation - Once a complaint is accepted for processing, the Title VI officer will conduct a factual investigation to determine whether the action at issue constitutes discrimination based on race, sex, color, age, national origin, disability, handicap, family status, political affiliation or belief, citizenship or status of a lawfully admitted immigrant authorized to work in the United States, or any other category protected by federal or state law.

It is the general policy of the Title VI Officer to investigate all administrative complaints that have apparent merit and are complete or properly pleaded. Examples of complaints with no apparent merit might include those which are so insubstantial or incoherent that they cannot be considered to be grounded in fact.

A complete or properly pleaded complaint is:

1. In writing, signed, and provides an avenue for contacting, the signatory (e.g., phone number, address);

2. Describes the alleged discriminatory act(s) that violate Title VI/ EO regulations (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age, disability or other protected category);
3. filed within 180 calendar days of the alleged discriminatory act(s); and
4. identifies the recipient that took the alleged discriminatory act(s).

The Title VI Officer will make a determination to accept, reject, or refer (to the appropriate Federal agency) a complaint within seven (7) calendar days of acknowledgment of its receipt.

3. Processing complaints -

- a) The Title VI Officer will maintain a log of all complaints and appeals. The complaint will be noted in the log by case number based on year, month and sequence in which complaint was received.
- b) A copy of the complaint will also be forwarded to the alleged discriminatory service or program official.
- c) The investigating officer will initiate the investigation by first contacting the complainant by telephone within three (3) workdays of receiving the assignment to set up an interview.
- d) The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
- e) The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
- f) The investigating officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
- g) The investigating officer will contact the complainant at the conclusion of the investigation, but prior to writing the final report and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
- h) The investigation will be completed and a final report will be sent to the THRC, the program's funding source, the alleged discriminatory service or program, and the complainant within sixty (60) calendar days of the date the complaint was received by Title VI Officer. The final report will include the following:
 - (a) the written complaint containing the allegation, basis, and date of filing
 - (b) summarized statements taken from witnesses
 - (c) finding of facts
 - (d) opinion (based on all evidence in the record) that the incident is substantiated or unsubstantiated

- (e) remedial action(s) for substantiated cases
- i) If corrective action(s) is recommended the alleged discriminatory agency will be given thirty (30) calendar days to inform the Title VI Officer of the actions taken for compliance.
- j) Corrective actions can be in the form of actions to be taken at a future date after the initial thirty (30) days, with projected time period(s) in which action will be completed.
- k) If the recommended corrective action(s) have not been taken within the thirty (30) day time period allowed (or any extension), the recipient will be found to be in noncompliance with Title VI and implementing regulations, and a referral will be made to the THRC and the program's funding source for enforcement action.

4. Appeals Procedures-

- a) The complainant has the right to appeal all written reports to the THRC, and/or the program's funding source.
- b) This appeal must be made in writing to the Title VI Officer within fourteen (14) days of receipt of the Department's final report.
- c) The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for disagreement.
- d) The Title VI Officer will forward this appeal within seven (7) calendar days to the THRC and the program's funding source for review.

A person may file a complaint directly with the Federal Transit Administration at:
FTA Office of Civil Rights
1200 New Jersey Avenue SE
Washington, D.C. 2059

Or you may contact Tennessee Department of Transportation by calling (615) 741-3681 or 1-888-370-3647 or by visiting www.tdot.state.tn.us/civil-rights/titlevi

EAST TENNESSEE HUMAN RESOURCE AGENCY, INC.

Title VI/ Equal Opportunity Complaint Form

Note: The following information is requested to help in processing your complaint.

If you need help in completing this form please request assistance.

Complainant Name: _____

Address: _____

Person discriminated against (if someone other than the complainant)

Name: _____

Address: _____

Telephone: (Cell) _____ (Other) _____

Which department of this agency do you believe discriminated against you?

Name of department: _____

Which of the following best describes the reason you believe the discrimination took place?

Race _____ Color _____ National Origin _____ Limited English Proficiency _____ Other _____

In the space below please describe the alleged discrimination. Explain what happened, who you believe was responsible and the date of the alleged discrimination. *Attach additional sheet(s) if necessary.*

Please sign below. You may attach any additional information you think is relevant to your complaint.

Note: All complainants have the right to representation by an attorney or any other individual.

Si se necesita información en otro idioma, por favor llame al (865) 691-2551.

East Tennessee Human Resource Agency

Public Transit Program

Public Participation Plan (PPP)

The East Tennessee Human Resource Agency (ETHRA) Public Transit Program encourages active participation by the public and other interested parties in the development of all transportation plans and programs, particularly the major products. ETHRA believes that the distribution of information regarding transportation planning and decision making needs to be inclusive of as many in the public as can reasonably be reached, and that interested parties and other federal, state, and local agencies should be given a fair opportunity to participate in the planning process.

It is the policy of ETHRA to take all public and stakeholder comments into account in the development and adoption of plans and programs. The processes outlined in this document form the basis for providing the opportunity for the general public and key stakeholders to participate in the transportation planning process. This Public Participation Plan (PPP) has been developed to meet federal requirements outlined by Title VI of the Civil Rights Act of 1964, Environmental Justice, the Americans with Disabilities Act (ADA) of 1990, and other applicable regulations.

Title VI

ETHRA assures that no person shall, on the grounds of race, color, national origin, income, gender, age, or disability as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

More specifically, ETHRA assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, ETHRA will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

ETHRA further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

ETHRA's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other related responsibilities as required by state and federal Title VI and Equal Opportunity regulations.

Environmental Justice (EJ)

Pursuant to Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, dated February 11, 1994, and the subsequent U.S. Department of Transportation Order 5680.3, issued April 15, 1997, ETHRA promotes Environmental Justice in all aspects of the transportation process. These procedures augment and reaffirm the policy to adhere to and advance the principles of the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964 (Title VI), the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as amended, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Transportation Equity Act for the 21st Century (TEA-21) as amended, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and other statutes, regulations and guidance that address or affect transportation planning and decision making; social, economic, or environmental matters; public health; and public involvement.

ETHRA will identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of Agency programs, policies, and activities on minority populations and low-income populations. Environmental Justice at ETHRA includes incorporating EJ and non-discrimination principles into transportation planning and decision making processes as well as any project-specific environmental reviews when required.

The guiding EJ principles followed by ETHRA are briefly summarized as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Public engagement and participation in decision making is a fundamental principle of EJ, and is critical to achieving outcomes that reflect the needs of all affected stakeholders to the greatest extent possible. Unfortunately, too often in the past, low-income and minority communities have borne disproportionately high or adverse human health and/or environmental effects as the result of infrastructure projects.

Therefore, ETHRA is committed to engaging low-income and minority populations in the transportation decision-making process, in addition to building relationships with all stakeholders, including those who serve underrepresented populations. Active participation of all affected communities will help ensure that transportation plans and projects avoid, minimize, or mitigate these impacts on low-income and minority populations. For this reason, ETHRA is committed to developing and using public engagement to encourage EJ populations to participate during the planning and implementation of ETHRA programs, policies, and activities. Furthermore, it is expected that coordination with community leaders will expand the public engagement process and ensure dissemination of information to their constituents.

To these ends, notices of meetings and public hearings will be specifically targeted to minority and/or other groups considered to be traditionally underserved to encourage participation in the transportation planning process. Minority and ethnic communities will be monitored through census data to ensure their inclusion in the process as populations fluctuate over time. In addition, special accommodations (e.g. interpreter, sign language interpreter, large print copy, etc.) to help disabled individuals may be requested of ETHRA during normal business hours at least five (5) business days prior to the meeting, and ETHRA will attempt to accommodate all such requests.

Introduction

This document presents the goals for public participation and involvement, as well as the public involvement procedures designed for various transportation planning activities. The purpose is to provide opportunities for all citizens to contribute ideas and opinions early and at every stage of the planning process.

Efforts will be made in the transportation planning and programming process to:

- Assure participation by traditionally underserved individuals, including elderly, low income and minority individuals, persons with disabilities, and persons with Limited English Proficiency (LEP).
- Ascertain what Non-English languages and barriers exist to provide participation in the service area.
- Provide public meeting notifications in a manner comprehensible to all populations in the service area.
- Provide transportation to public meetings free of charge upon request.
- Consider any and all concerns received from all populations on an equal manner.

Identification of Stakeholders

Stakeholders are individuals either directly or indirectly affected by the plan and/or those who make recommendations to the plan. Those who may be affected or who may be unaware of the benefits of the plan's recommendation(s) are of particular interest in the identification of specific stakeholders. Stakeholders are broken down into several groups: general citizens, minority and low-income persons, public agencies, and private organizations and businesses.

Techniques such as those listed in the section entitled "Outreach Efforts to Enhance Public Participation and Involvement" are used to engage all populations in traditional and nontraditional methods of involvement. These techniques are followed to gain input, either directly or indirectly; to engage the minority or LEP persons in the process; and to otherwise develop new insights and perspectives from others outside the typical transit environment.

Traditionally Underserved Populations

Title VI of the Civil Rights Act of 1964 protects persons from discrimination based on race, color, or national origin in programs and activities that receive federal financial assistance. President Clinton's Executive Order 12898 provides further guidance to federal assistance programs to ensure that low-income and minority populations are not discriminated against by Federal, state or local agencies receiving Federal monies. Specifically, the Federal Executive Order directive requires federal programs:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations,
- To ensure the full and fair participation of all potentially affected communities in the transportation decision-making process, and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and/or low-income populations.

Because of the importance of an all-inclusive outreach program that ensures compliance with Title VI and the Americans with Disabilities Act of 1990, ETHRA will place emphasis on efforts to reach out to traditionally underserved or underrepresented segments of the region's population including:

- Low income,
- Minorities,

- Homeless or institutionally housed,
- Limited English Proficiency (LEP),
- Limited Literacy,
- Transit Dependent,
- Transportation Disadvantaged,
- Single-parent Families,
- The Elderly

Background, General Information, and Statistics

General Citizens: There are over 772,900 residents in the ETHRA service area, with an additional 461,860 in the area's most populous county, Knox (Source: U.S. Census Bureau State and County Quickfacts, July 1, 2017). Approximately 95% of the population in ETHRA's counties consider themselves to be of the white race, while 86% of the Knox County residents consider themselves white.

Minorities: Minority populations make up a fairly small percentage of the ETHRA service area. African-Americans make up the largest minority with slightly more than 2% of the total population. Hispanics make up approximately 2% of the population but constitute a fast-growing segment of the population in many of the counties served. Asian persons make up less than 0.5% of the population and Native Americans constitute less than 0.3% of the area. (U.S. Census Bureau Quickfacts, July 1, 2017)

LEP Populations: The most recent U.S. Census Bureau data shows that only a very small percentage of the population served by ETHRA's Public Transit Program speaks little or no English. The majority of these individuals are concentrated in Hamblen, Loudon, and Knox Counties, with those speaking English "less than very well" at 3.3%, 2.1%, and 1.3% respectively. Many of the other counties in the service area have statistically negligible LEP populations (Scott at 0.0%, Roane at 0.2%, and Claiborne at 0.1%). [Source: U.S. Census Bureau, 2012- 2016 American Community Survey 5-Year Estimates]

Low-income: While the overall percentage of persons below the federal poverty level in Tennessee is 15.8%, the poverty rates in ETHRA's counties of service range from slightly below

the state average (11.4% in Blount, 15.1% in Sevier, and 10.6% in Loudon) to significantly above the state's level (24.1% in Campbell, 22% in Scott, 24.2% in Cocke, and 30.9% in Hancock). [Source: U.S. Census Bureau State and County, July 2017]

Public Agencies, Private Organizations and Businesses: Public agencies, private organizations and businesses offer a number of perspectives that are valuable to the planning process.

Public Participation Techniques

This section provides a description of the various techniques that will be used to carry out public participation process. Opportunities for public input are not limited to those contained in this section, and other public participation techniques may be employed to increase the awareness of relevant ETHRA policies, while encouraging public participation in the development process.

Media

Press Releases and Public Service Announcements

In order to broaden the participation in transportation planning decisions, ETHRA will use media press releases and public services announcements to announce opportunities for the public to participate in planning-related issues.

Registered news media and organizations such as major neighborhood groups and/or minority groups on ETHRA's email list will receive all press releases. Public Service Announcements will be distributed to the appropriate media. A special effort will be made to reach traditionally under-represented groups via local media establishments.

Newspapers

Notices of all meetings, public hearings, and public comment periods are published in the Knoxville News Sentinel and, when available and appropriate, other local media outlets. Notices are published a minimum of seven (7) days prior to scheduled meetings.

Radio, TV, and Other Media Forums

Various TV and radio stations throughout the area offer opportunities for organizations to inform their viewers about upcoming meetings and events. Press releases of meetings are sent to all local radio and TV outlets.

Presentations/Meetings/Workshops

Formal Meetings

Formal meetings will be held in ADA accessible facilities in locations served either by fixed-route transit service, or by an on-demand type service. ETHRA will select the location, size, and setup of meeting facilities based on the specific characteristics of the audience and the type of information to be presented.

Public meetings and workshops will be held in areas that offer the greatest opportunity for those interested to participate. As much as possible, ETHRA will hold meetings and workshops in public places (e.g., public libraries, hotel conference center, town center, or shopping mall) that are conducive to attracting the mix of people and businesses most representative of the community.

To encourage the involvement of minority and LEP populations, any required meetings or hearings will be held at locations and times that are accessible and convenient for minority and LEP communities.

For all public meetings, ETHRA will seek to increase participation by creating a welcoming and inviting environment. Furthermore, all meeting agendas contain the following statement:

ADA Notice: For special accommodations for this meeting, contact Title VI/ADA Coordinator via phone (865) 691-2551, extension 4262 (TTY 711) at least one week in advance.

Other Tools

ETHRA Website

Many people use the internet as their main source of data and information. The physically disabled are especially able to use this source to both receive input and to provide feedback, while not being required to physically attend meetings.

The ETHRA website (www.ethra.org) provides a comprehensive resource to people wanting information about services or activities, public notices of all meetings, and public hearings.

Comment Cards

Comment cards will be made available at all public meetings, including project-specific open houses/town meetings to assess priorities and goals.

Enhanced Outreach Methods

ETHRA will work with community and faith-based organizations to effectively reach minority and LEP groups. These organizations will be notified of meetings, hearings, and general program updates, and encouraged to share this information with interested parties.

When appropriate for project-specific meetings, ETHRA will use enhanced public outreach and communications methods for hard-to-reach or traditionally underserved populations. When reaching out to those communities, ETHRA will use simple, straight forward language, incorporating visual aids such as photos, renderings, aerials, and color charts to help communicate complex concepts and plans. Meetings and workshops will be held at locations that are ADA accessible, convenient, and most effective in encouraging turnout and input. In general, facilities will be located close to participants' homes, work or other places they frequent. Potential meeting sites include community churches, local ministries to the poor and/or homeless, public schools, libraries, transit facilities, universities, and shopping facilities.

The following are additional methods ETHRA may use to reach out to special populations:

- ETHRA may use visualization methods (maps, displays, charts, and other static and interactive engagements) to make the topic relevant to the target audience. The extensive use of maps, aerial photographs and simple charts allow for greater participation and understanding by those that may be more visually oriented and will allow for greater interaction by participants.
- If meetings are to be held in areas where there is a predominance of non-English speaking populations, ETHRA will have people available to help translate questions and inputs.

- When appropriate, ETHRA will use community-based TV and radio stations and websites to target messages and solicit input from specific population segments, including minority and LEP groups.

Title VI and Environmental Justice Resources

Community Associations, Advocacy Groups, and Media Outlets

American Association of Retired Persons	tnaarp@aarp.org
Hispanic Chamber of Commerce of East Tennessee	mail@hccet.org
Knoxville Area Urban League	info@thekaul.org
Knoxville Chamber of Commerce	jevans@knoxvillechamber.com
Legal Aid of East Tennessee	twoods@laet.org
Legal Aid Society	jmynatt@las.org
National Association for the Advancement of Colored People	info@tnnaacp.org
National Federation of Independent Businesses	jim.brown@nfib.org
WKGN-AM (Knoxville)	psanchez@norsangroup.com
WKZX, 93.5 FM (Lenoir City)	laliderwkzx@gmail.com
Centro Hispano de East Tennessee	centro@centrohispanotn.org

Information and statistics updated May 2018

ETHRA LEP Policy

Title VI in the Limited English Proficiency (LEP) Context

A recipient/covered entity whose policies, practices or procedures exclude, limit, or have the effect of excluding or limiting, the participation of any LEP person in a federally-assisted program on the basis of national origin may be engaged in discrimination in violation of Title VI. In order to ensure compliance with Title VI, recipient/covered entities must take steps to ensure that LEP persons who are eligible for their programs or services have meaningful access to the health and social service benefits that they provide. The most important step in meeting this obligation is for recipients of Federal financial assistance such as grants, contracts, and subcontracts to provide the language assistance necessary to ensure such access, at no cost to the LEP person.

The type of language assistance a recipient/covered entity provides to ensure meaningful access will depend on a variety of factors, including the size of the recipient/covered entity, the size of the eligible LEP population it serves, the nature of the program or service, the objectives of the program, the total resources available to the recipient/covered entity, the frequency with which particular languages are encountered, and the frequency with which LEP persons come into contact with the program.

The steps taken by a covered entity must ensure that the LEP person is given adequate information, is able to understand the services and benefits available, and is able to receive those for which he or she is eligible. The covered entity must also ensure that the LEP person can effectively communicate the relevant circumstances of his or her situation to the service provider.

- **Oral Language Interpretation**-- In designing an effective language assistance program, a recipient/covered entity develops procedures for obtaining and providing trained and competent interpreters and other oral language assistance services, in a timely manner, by taking some or all of the following steps:
 - Hiring bilingual staff who are trained and competent in the skill of interpreting;
 - Hiring staff interpreters who are trained and competent in the skill of interpreting;

- Contracting with an outside interpreter service for trained and competent interpreters;
- Arranging formally for the services of voluntary community interpreters who are trained and competent in the skill of interpreting;
- Arranging/contracting for the use of a telephone language interpreter service.

- **Interpreters**

- **Use of Friends, Family and Minor Children as Interpreters** -- A recipient/covered entity may expose itself to liability under Title VI if it requires, suggests, or encourages an LEP person to use friends, minor children, or family members as interpreters, as this could compromise the effectiveness of the service. Use of such persons could result in a breach of confidentiality or reluctance on the part of individuals to reveal personal information critical to their situations. In a medical setting, this reluctance could have serious, even life threatening, consequences. In addition, family and friends usually are not competent to act as interpreters, since they are often insufficiently proficient in both languages, unskilled in interpretation, and unfamiliar with specialized terminology.

If after a recipient/covered entity informs an LEP person of the right to free interpreter services, the person declines such services and requests the use of a family member or friend, the recipient/covered entity may use the family member or friend, if the use of such a person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The recipient/covered entity should document the offer and declination in the LEP person's file. Even if an LEP person elects to use a family member or friend, the recipient/covered entity should suggest that a trained interpreter sit in on the encounter to ensure accurate interpretation.

- **Competence of Interpreters** -- In order to provide effective services to LEP persons, a recipient/covered entity must ensure that it uses persons who are competent to provide interpreter services. Competency does not necessarily mean formal certification as an interpreter, though certification is helpful. On the other hand, competency requires more than self-identification as bilingual. The competency requirement contemplates demonstrated proficiency in both English and the other language, orientation and training that includes the skills and ethics of interpreting (e.g. issues of confidentiality), fundamental knowledge in both languages of any specialized terms, or concepts peculiar to the recipient/covered

entity's program or activity, sensitivity to the LEP person's culture and a demonstrated ability to convey information in both languages, accurately. A recipient/covered entity must ensure that those persons it provides as interpreters are trained and demonstrate competency as interpreters.

- To ensure full and complete access for LEP persons, ETHRA contracts with Verbatim Solutions, a telephone language interpreter service which provides on-demand access to competent, qualified interpreters for scores of languages.

▪ **Translation of Written Materials**

- The recipient/covered entity provides translated written materials, including vital documents, for each eligible LEP language group that constitutes ten percent or 3,000, whichever is less, of the population of persons eligible to be served or likely to be directly affected by the recipient/covered entity's program (U.S. Census Bureau data shows that the only group reaching this threshold is Spanish-speaking residents, so important documents such as the Title VI notices have been translated into Spanish);
- Regarding LEP language groups that do not fall within paragraph (A) above, but constitute five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be directly affected, the recipient/covered entity ensures that, at a minimum, vital documents are translated into the appropriate non-English languages of such LEP persons as needed via Google Translate. Translation of other documents, if needed, can be provided orally; and
- Notwithstanding paragraphs (A) and (B) above, a recipient with fewer than 100 persons in a language group eligible to be served or likely to be directly affected by the recipient/covered entity's program, does not translate written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral translation of written materials.

▪ **Methods for Providing Notice to LEP Persons**

A vital part of a well-functioning compliance program includes having effective methods for notifying LEP persons regarding their right to language assistance and the availability of such assistance free of charge. These methods include but are not limited to:

- Use of language identification cards which allow LEP beneficiaries to identify their language needs to staff and for staff to identify the language needs of applicants and clients. To be effective, the cards (e.g., "I speak cards") must invite the LEP person to identify the language he/she speaks, and these are available to all ETHRA employees on the agency's intranet. This identification must be recorded in the LEP person's file;
- Posting and maintaining signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of entry. In order to be effective, these signs must inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services. Spanish-language versions of these signs are posted throughout the agency's offices.

- Translation of application forms and instructional, informational and other written materials into appropriate non-English languages by competent translators. For LEP persons whose language does not exist in written form, assistance from an interpreter to explain the contents of the document;
- Uniform procedures for timely and effective telephone communication between staff and LEP persons. This must include instructions for English-speaking employees to obtain assistance from interpreters or bilingual staff when receiving calls from or initiating calls to LEP persons. These instructions are posted on ETHRA's intranet and available to all employees; and
- Inclusion of statements about the services available and the right to free language assistance services, in appropriate non-English languages, in brochures, booklets, outreach and recruitment information and other materials that are routinely disseminated to the public. Spanish-language versions of these statements are posted in all agency offices.

Limited English Proficiency Four Factor Analysis (2018)

The most recent U.S. Census Bureau data shows that only a very small percentage of the population served by ETHRA's Public Transit Program speaks little or no English. The majority of these individuals are concentrated in Hamblen, Loudon, and Knox counties, with those considered Limited English Proficient (LEP) at 3.3%, 2.1%, and 1.3% respectively. Many of the other counties in this service area have statistically negligible LEP populations (Scott at 0.0%, Roane at 0.2% and Claiborne at 0.1%).

An internal review of data from the Public Transit and other agency programs shows statistically small but regular contact with LEP clients. The provider of telephone interpreter services is Verbatim Solutions, and this service is used regularly (approximately 37 times in 2017). Although Spanish is the most often encountered languages (over 95% of the time), the use of Verbatim Solutions has allowed ETHRA employees to effectively communicate with those who spoke other languages such as Mandarin and Russian.

The latest Census data (American FactFinder, effective 5/11/2018) shows that Spanish-speaking households make up the largest category of families who speak a language other than (or in addition to) English. The largest number of these households live in Knox County (5,137), and most rural counties have relatively few of these families (37 in Hancock and 56 in Scott). The percentage of these families considered LEP range from a high of 43% in Grainger County (84 out of 192 families) to zero in rural counties such as Grainger and Cocke.

Households speaking languages "other than Indo-European" make up the next largest group but the numbers are relatively small, ranging from a high of 3,434 in Knox County to a low of 7 in Scott County. The percentage of these families considered LEP ranges from a high of 14.3 % to zero.

Asian and Pacific Islander languages are in the third largest category although the raw numbers are relatively small, ranging from a high of 2,652 in Knox County to zero in Hancock and Scott Counties. Although the total numbers of these families are small relative

to the overall population, the percentage of these households considered LEP can be high (61% in Union County and 43% in Grainger County).

Based on our analysis of demographic data (see attachment) and the demonstrated frequency of contact with LEP clients, the program's most essential documents have been translated into Spanish. These include the agency's Title VI and Equal Opportunity guidelines and complaint procedures. With current online software such as Google Translate, documents can be uploaded and instantly translated into most any other language on an as-needed basis.

As an agency receiving both federal and state funds, the ability to effectively serve all clients, including the LEP population, is paramount. Although these expenses are tracked, there is no budgetary limit imposed due to the importance of this mandate.

(Attachment of LEP Data from U.S. Census Bureau)

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Effective 5/11/2018

<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t#none>

Subject	Anderson County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	30,660	+/-512	(X)	(X)	220	+/-90	0.7%	+/-0.3
Households speaking --								
Spanish	771	+/-149	2.5%	+/-0.5	102	+/-71	13.2%	+/-9.0
Other Indo-European languages	544	+/-135	1.8%	+/-0.4	0	+/-28	0.0%	+/-5.8
Asian and Pacific Island languages	349	+/-75	1.1%	+/-0.2	118	+/-53	33.8%	+/-14.2
Other languages	95	+/-70	0.3%	+/-0.2	0	+/-28	0.0%	+/-28.3

Subject	Blount County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	49,379	+/-531	(X)	(X)	436	+/-134	0.9%	+/-0.3
Households speaking --								
Spanish	1,027	+/-168	2.1%	+/-0.3	268	+/-116	26.1%	+/-10.7
Other Indo-European languages	758	+/-220	1.5%	+/-0.4	39	+/-28	5.1%	+/-4.0
Asian and Pacific Island languages	311	+/-105	0.6%	+/-0.2	118	+/-72	37.9%	+/-18.0
Other languages	141	+/-87	0.3%	+/-0.2	11	+/-20	7.8%	+/-14.9

Subject	Campbell County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	15,902	+/-416	(X)	(X)	46	+/-47	0.3%	+/-0.3
Households speaking --								
Spanish	127	+/-70	0.8%	+/-0.4	26	+/-38	20.5%	+/-23.8
Other Indo-European languages	73	+/-52	0.5%	+/-0.3	9	+/-13	12.3%	+/-17.7
Asian and Pacific Island languages	27	+/-26	0.2%	+/-0.2	11	+/-18	40.7%	+/-56.9
Other languages	4	+/-6	0.0%	+/-0.1	0	+/-25	0.0%	+/-100.0

Subject	Claiborne County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	12,783	+/-307	(X)	(X)	9	+/-19	0.1%	+/-0.2
Households speaking --								
Spanish	84	+/-35	0.7%	+/-0.3	0	+/-25	0.0%	+/-31.0
Other Indo-European languages	94	+/-49	0.7%	+/-0.4	9	+/-19	9.6%	+/-19.4
Asian and Pacific Island languages	39	+/-29	0.3%	+/-0.2	0	+/-25	0.0%	+/-47.5
Other languages	34	+/-29	0.3%	+/-0.2	0	+/-25	0.0%	+/-50.9



Subject	Coke County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	14,564	+/-437	(X)	(X)	0	+/-25	0.0%	+/-0.2
Households speaking --								
Spanish	212	+/-86	1.5%	+/-0.6	0	+/-25	0.0%	+/-14.2
Other Indo-European languages	100	+/-57	0.7%	+/-0.4	0	+/-25	0.0%	+/-27.2
Asian and Pacific Island languages	31	+/-33	0.2%	+/-0.2	0	+/-25	0.0%	+/-53.3
Other languages	9	+/-14	0.1%	+/-0.1	0	+/-25	0.0%	+/-98.9

Subject	Grainger County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	8,865	+/-242	(X)	(X)	96	+/-51	1.1%	+/-0.6
Households speaking --								
Spanish	192	+/-50	2.2%	+/-0.6	84	+/-44	43.8%	+/-25.4
Other Indo-European languages	71	+/-41	0.8%	+/-0.5	0	+/-22	0.0%	+/-34.8
Asian and Pacific Island languages	28	+/-23	0.3%	+/-0.3	12	+/-22	42.9%	+/-57.1
Other languages	3	+/-5	0.0%	+/-0.1	0	+/-22	0.0%	+/-100.0

Subject	Hamblen County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	24,442	+/-409	(X)	(X)	808	+/-172	3.3%	+/-0.7
Households speaking --								
Spanish	2,014	+/-244	8.2%	+/-1.0	748	+/-179	37.1%	+/-9.1
Other Indo-European languages	228	+/-97	0.9%	+/-0.4	12	+/-19	5.3%	+/-8.4
Asian and Pacific Island languages	185	+/-63	0.8%	+/-0.3	48	+/-45	25.9%	+/-24.5
Other languages	52	+/-54	0.2%	+/-0.2	0	+/-28	0.0%	+/-41.1

Subject	Hancock County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	2,751	+/-139	(X)	(X)	0	+/-17	0.0%	+/-1.2
Households speaking --								
Spanish	37	+/-35	1.3%	+/-1.2	0	+/-17	0.0%	+/-48.8
Other Indo-European languages	23	+/-26	0.8%	+/-0.9	0	+/-17	0.0%	+/-61.8
Asian and Pacific Island languages	0	+/-17	0.0%	+/-1.2	0	+/-17	-	**
Other languages	6	+/-10	0.2%	+/-0.4	0	+/-17	0.0%	+/-100.0

Subject	Jefferson County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	19,767	+/-454	(X)	(X)	135	+/-62	0.7%	+/-0.3
Households speaking --								
Spanish	481	+/-103	2.4%	+/-0.5	105	+/-53	21.8%	+/-11.0
Other Indo-European languages	198	+/-70	1.0%	+/-0.4	0	+/-28	0.0%	+/-15.1
Asian and Pacific Island languages	70	+/-66	0.4%	+/-0.3	12	+/-21	17.1%	+/-32.9
Other languages	18	+/-25	0.1%	+/-0.1	18	+/-25	100.0%	+/-69.9

Subject	Knox County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	181,336	+/-1,075	(X)	(X)	2,379	+/-339	1.3%	+/-0.2
Households speaking --								
Spanish	5,137	+/-350	2.8%	+/-0.2	1,347	+/-244	26.2%	+/-4.6
Other Indo-European languages	3,434	+/-307	1.9%	+/-0.2	216	+/-71	6.3%	+/-2.0
Asian and Pacific Island languages	2,652	+/-293	1.5%	+/-0.2	562	+/-142	21.2%	+/-4.8
Other languages	1,198	+/-260	0.7%	+/-0.1	254	+/-118	21.2%	+/-8.8

Subject	Loudon County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	20,060	+/-336	(X)	(X)	418	+/-128	2.1%	+/-0.6
Households speaking --								
Spanish	1,201	+/-173	6.0%	+/-0.8	418	+/-128	34.8%	+/-10.6
Other Indo-European languages	210	+/-111	1.0%	+/-0.6	0	+/-28	0.0%	+/-14.3
Asian and Pacific Island languages	71	+/-50	0.4%	+/-0.3	0	+/-28	0.0%	+/-34.8
Other languages	3	+/-5	0.0%	+/-0.1	0	+/-28	0.0%	+/-100.0

Subject	Monroe County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	17,311	+/-464	(X)	(X)	77	+/-76	0.4%	+/-0.4
Households speaking --								
Spanish	431	+/-104	2.5%	+/-0.6	77	+/-76	17.9%	+/-16.4
Other Indo-European languages	190	+/-86	1.1%	+/-0.5	0	+/-25	0.0%	+/-15.7
Asian and Pacific Island languages	31	+/-34	0.2%	+/-0.2	0	+/-25	0.0%	+/-53.3
Other languages	34	+/-37	0.2%	+/-0.2	0	+/-25	0.0%	+/-50.9

Subject	Morgan County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	7,221	+/-237	(X)	(X)	7	+/-9	0.1%	+/-0.1
Households speaking --								
Spanish	60	+/-34	0.8%	+/-0.5	4	+/-9	6.7%	+/-17.6
Other Indo-European languages	109	+/-54	1.5%	+/-0.8	3	+/-4	2.8%	+/-4.2
Asian and Pacific Island languages	4	+/-7	0.1%	+/-0.1	0	+/-22	0.0%	+/-100.0
Other languages	23	+/-32	0.3%	+/-0.4	0	+/-22	0.0%	+/-61.8

Subject	Roane County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	21,532	+/-494	(X)	(X)	38	+/-50	0.2%	+/-0.2
Households speaking --								
Spanish	431	+/-107	2.0%	+/-0.5	38	+/-50	8.8%	+/-10.8
Other Indo-European languages	154	+/-75	0.7%	+/-0.3	0	+/-28	0.0%	+/-18.9
Asian and Pacific Island languages	38	+/-36	0.2%	+/-0.2	0	+/-28	0.0%	+/-48.1
Other languages	11	+/-17	0.1%	+/-0.1	0	+/-28	0.0%	+/-89.4

Subject	Scott County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	8,368	+/-292	(X)	(X)	0	+/-22	0.0%	+/-0.4
Households speaking --								
Spanish	56	+/-53	0.7%	+/-0.6	0	+/-22	0.0%	+/-39.6
Other Indo-European languages	7	+/-9	0.1%	+/-0.1	0	+/-22	0.0%	+/-100.0
Asian and Pacific Island languages	0	+/-22	0.0%	+/-0.4	0	+/-22	-	**
Other languages	2	+/-4	0.0%	+/-0.1	0	+/-22	0.0%	+/-100.0

Subject	Sevier County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	36,982	+/-724	(X)	(X)	719	+/-170	1.9%	+/-0.5
Households speaking --								
Spanish	1,386	+/-172	3.7%	+/-0.5	549	+/-142	39.6%	+/-10.3
Other Indo-European languages	788	+/-193	2.1%	+/-0.5	113	+/-80	14.3%	+/-9.6
Asian and Pacific Island languages	236	+/-95	0.6%	+/-0.3	51	+/-45	21.6%	+/-18.2
Other languages	128	+/-84	0.3%	+/-0.2	6	+/-9	4.7%	+/-8.9

Subject	Union County, Tennessee							
	Total		Percent		Limited English-speaking households		Percent limited English-speaking households	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
All households	7,271	+/-284	(X)	(X)	43	+/-42	0.6%	+/-0.6
Households speaking --								
Spanish	109	+/-96	1.5%	+/-1.3	24	+/-29	22.0%	+/-32.8
Other Indo-European languages	54	+/-50	0.7%	+/-0.7	0	+/-19	0.0%	+/-40.4
Asian and Pacific Island languages	31	+/-33	0.4%	+/-0.4	19	+/-28	61.3%	+/-56.6
Other languages	0	+/-19	0.0%	+/-0.4	0	+/-19	-	**

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Explanation of Symbols:

1. An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '****' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.

American FactFinder, U.S. Census Bureau effective 5/11/2018
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