
Title VI Plan and Procedures

Title VI of the Civil Rights Act of 1964

Peninsula Area Agency on Aging



Adopted

November 20, 2024

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I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how Peninsula Agency on Aging incorporates nondiscrimination policies and practices in providing services to the public. Peninsula Agency on Aging's Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

II. OVERVIEW OF SERVICES

The Peninsula Agency on Aging, Inc. is the Area Agency on Aging serving the cities of Hampton, Newport News, Poquoson, Williamsburg, and the counties of James City and York. Established in 1974, the Peninsula Agency on Aging's main mission is to support the independence and quality of life of Peninsula residents primarily 60 years and older by advocating, arranging, and providing vital human services. The Agency offers Home Delivered Meals, Adult Day Care Respite, Advance Care Planning, Care Coordination, Caregiver Support, Elder Abuse Prevention, Emergency Assistance, In-Home Personal Care services, Information and Assistance, and transportation. Transportation is provided to seniors and disabled individuals to non-emergency medical appointments and adult day care facilities.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Peninsula Agency on Aging is committed to ensuring that no person shall, on the grounds of race, color, national origin, 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, whether those programs and activities are federally funded or not.

The Peninsula Agency on Aging Title VI Manager is responsible for initiating and monitoring Title VI transportation activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



11/25/2024

Signature of Authorizing Official

Date

William S. Massey, President/CEO

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

IV. NONDISCRIMINATION ASSURANCE TO DRPT

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, Peninsula Agency on Aging submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, Peninsula Agency on Aging confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

Add board minutes for approval

I hereby acknowledge the receipt of the Peninsula Agency on Aging Title VI Implementation Plan 2024 - 2026. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.

Ingo Huemer
Ingo Huemer (Nov 25, 2024 12:11 EST)

11-25-2024

Signature of Authorizing Official

DATE

Ingo Huemer
Chairman, Board of Directors
Peninsula Agency on Aging, Inc.

ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

The Peninsula Agency on Aging's Vice President of Community Services is responsible for ensuring implementation of the agency's Title VI transportation program. Title VI program elements are interrelated, and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

The Title VI Manager and staff are responsible for coordinating the overall administration of the Title VI transportation program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Detailed Responsibilities of the Title VI Manager

The Title VI Manager is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, Peninsula Agency on Aging will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a sub-recipient of FTA funds, Peninsula Agency on Aging is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. Peninsula Agency on Aging will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- Procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

3. Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager will review the agency's Title VI transportation program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on our Title VI transportation program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. The Peninsula Agency on Aging will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency’s Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

6. Written policies and procedures

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of CFO and Vice President of Community Services.

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), Peninsula Agency on Aging’s contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the President/CEO who is/are responsible for procurement contracts and PO’s to ensure appropriate non-discrimination clauses are included.

VI. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, Peninsula Agency on Aging shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally-funded vehicles, etc.

See APPENDIX A- Title VI Notice to the Public; APPENDIX B - List of Locations.

Peninsula Agency on Aging, Inc. (PAA) gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 and all related statutes. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which PAA receives Federal financial assistance.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been excluded from the participation in, been denied the benefits of, or been otherwise subjected to discrimination under any program or activity for which PAA provides assistance, and believes the discrimination is based upon race, color, national origin, gender, age, economic status or limited English proficiency has the right to file a formal complaint.

A complaint must be submitted within 180 days of the alleged discriminatory act. If a complaint addresses PAA, you may file the complaint thru email via the link below, by phone or in writing. The following information shall be included with the complaint:

- *Your name, address, and how to contact you*
- *How, when, where and why you believe you were discriminated against.*
- *The location, names and contact information of any witnesses.*

For complainants who may be unable to file a written complaint, verbal information will be accepted by the Peninsula Agency on Aging, Inc. at 757-873-0541.

To submit a formal complaint or to request additional information on Title VI obligations for PAA contact as noted below.

*Vice President of Community Services
Peninsula Agency on Aging, Inc.
739 Thimble Shoals Blvd.
Suite 1006
Newport News, VA 23606
1-757-873-0541*

Instructions for filing Title VI transportation complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service.

Title VI Complaint Procedures

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI transportation complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Any individual may exercise his or her right to file a complaint with Peninsula Agency on Aging if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

Peninsula Agency on Aging includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

The Peninsula Agency on Aging is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services on the basis of race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964.

For additional information on Peninsula Agency on Aging's nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.paa-inc.org or contact Vice President Community Services at 739 Thimble Shoals Blvd. Suite 1006, Newport News, VA 23606, 757-873-0541.

Instructions for filing Title VI transportation complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities.

SEE APPENDIX C – Title VI Complaint Form

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against Peninsula Agency on Aging the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint shall be in writing and signed by the complainant(s).
 - c. The complaint should include:
 - the complainant's name, address, and contact information
 - (i.e., telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - d. The complaint shall be submitted to the Peninsula Agency on Aging Title VI Manager at 739 Thimble Shoals Blvd. Suite 1006, Newport News, VA 23606 or information@paainc.org.
 - e. Complaints received by any other employee of Peninsula Agency on Aging will be immediately forwarded to the Title VI Manager.
 - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the **Transportation Assistant** will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify the Peninsula Agency on Aging Authorizing Official
 - c. ensure that the complaint is entered in the complaint database
3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.

4. 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.
5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
10. The Title VI Manager 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.
11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Peninsula Agency on Aging Authorizing Official, DRPT, and, if appropriate, Peninsula Agency on Aging's legal counsel.
12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
13. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by Peninsula Agency on Aging. DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Background

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 FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually.

SEE APPENDIX D- Investigations, Lawsuits and Complaints Document

VII. PUBLIC OUTREACH AND INVOLVEMENT

PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that Peninsula Agency on Aging utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

Peninsula Agency on Aging established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

Peninsula Agency on Aging will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

SOME OF THOSE EFFECTIVE PUBLIC OUTREACH PRACTICES INCLUDES:

- Peninsula Agency on Aging brochures are distributed throughout the service area
- Bi-monthly meetings of the Peninsula Agency on Aging Community Advisory Committee
- Monthly meetings with the Hampton Senior Citizens Committee
- Monthly meetings with the Peninsula Taskforce on Aging
- PAA staff chairs the Greater Williamsburg Transportation Taskforce quarterly meetings
- PAA Community Health Program presentations

SEE APPENDIX E-Summary of Outreach Efforts

VIII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

PLAN FOR SERVING PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by Peninsula Agency on Aging is based on FTA guidelines.

As required, Peninsula Agency on Aging developed a written LEP Plan (below). Using American Community Survey (ACS) Census data, Peninsula Agency on Aging has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey (2018-2022)

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through www.census.gov by PAAA' service area. The agency's service area includes a total of 13,092 (2.79%) persons with Limited English Proficiency (those persons who indicated that they spoke English less than "very well," in the 2018-2022 ACS Census).

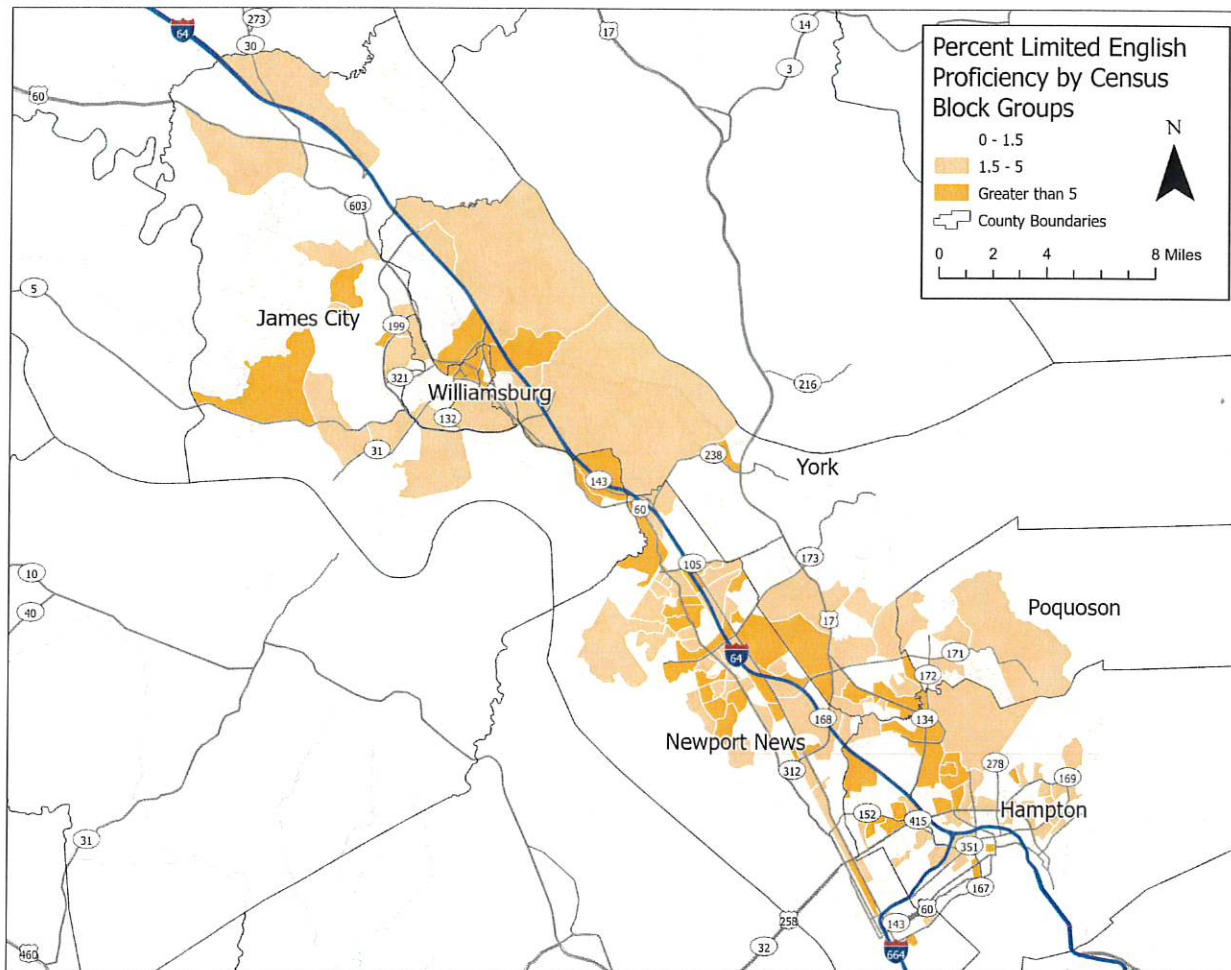
Information from the 2018-2022 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other languages are needed to meet the needs of LEP persons.

Table 1 - LEP Individuals by Language Spoken

Peninsula AAA Service Area			
Language	Number of LEP Population	Percent of Service Area Population Speaking Language	Percent of LEP Population Speaking Language
Spanish	6,298	1.34%	48.11%
French, Haitian, or Cajun	557	0.12%	4.25%
German or other West Germanic languages	152	0.03%	1.16%
Russian, Polish, or other Slavic languages	425	0.09%	3.25%
Other Indo-European languages	935	0.20%	7.14%
Korean	1,053	0.22%	8.04%
Chinese (incl. Mandarin, Cantonese)	763	0.16%	5.83%
Vietnamese	877	0.19%	6.70%
Tagalog	652	0.14%	4.98%
Other Asian and Pacific Island languages	807	0.17%	6.16%
Arabic	296	0.06%	2.26%
Other and unspecified languages	277	0.06%	2.12%
Total LEP Population	13,092	2.79%	
Total Service Area Population	469,474		

Spanish (6,298) is the most widely spoken language by LEP individuals. Another languages that surpass the Safe Harbor Provision is Korean (1,053). Figure 1 maps the percentage of LEP individuals by Census Block Group. Larger percentages of LEP persons are found in Hampton, Newport News, Williamsburg and James City County.

Figure 1 – Percentage of LEP by Census Block Group



Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Transit Services or System

Not applicable to the Peninsula Agency on Aging at this time due to the lack of requests from LEP individuals to date. All of the PAA staff is routinely surveyed as to the number of contacts with transportation clients who are LEP and in need of transportation services. PAA staff has gone through Title VI training and understands that they should contact the PAA Title VI Manager immediately whenever a LEP individual is in need of additional help to access PAA transportation services.

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP

persons contact our agency, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact. To assist in language identification, we use a language identification flashcard based on that which was developed by the U.S. Census. (<http://www.lep.gov/ISpeakCards2004.pdf>)]

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

Peninsula Agency on Aging provides the following programs, activities and services:

- Transportation for seniors 60 years of age and older
- Non-emergency medical appointments
- Adult daycare facilities
- Peninsula Agency on Aging Congregate Dining Clubs

PAA is aware that access to transportation services for all clients, including the LEP population, is necessary for them to access proper medical attention in order to remain living independently in the community. PAA has plans in place to assist LEP individuals when necessary. PAA has access to community interpreters, staff, and has software that will translate PAA brochures, notices, and forms into another language.

Based on past experience serving and communicating with LEP persons and interviews with community agencies, the Peninsula Agency on Aging has had no requests to date from LEP individuals regarding our transportation services that could not be accommodated.

Factor 4: Assessment of the Resources Available to the Agency and Costs

No language assistance measures are currently being provided by the Peninsula Agency on Aging due to the lack of requests to date from LEP individuals. If such requests are received by the Peninsula Agency on Aging would provide translation services and would look to community resources to assist.

PAA has plans in place to assist LEP individuals when necessary. PAA has access to community interpreters and has software that will translate PAA brochures, notices, and forms into another language.

LEP Implementation Plan

Through the four-factor analysis, Peninsula Agency on Aging has determined that language assistance is not needed or feasible at this time; however, such assistance would be provided if such a need arises in the future.

Peninsula Agency on Aging takes the following steps to ensure that minority, low-income, and LEP members of the community have meaningful access to public outreach and involvement

activities, including those conducted as part of the planning process for proposed changes in services, fees, and facilities development.

- Publishing public notices within local newspapers of general circulation and on the agency's website.

Public notices are issued to:

- Announce intent to apply for public transit funding from DRPT (FTA 5310), and to announce the formal comment period on proposed program of projects, with a public hearing (or opportunity for one).

Monitoring/updating the plan

This plan will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability.

As part of ongoing outreach to community organizations, Peninsula Agency on Aging will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct periodic surveys, focus groups, community meetings, internal meetings with staff who assist LEP persons, review of updated Census data, formal studies of the adequacy and quality of the language assistance provided, and determine changes to LEP needs.

In preparing the triennial update of this plan, Peninsula Agency on Aging will conduct an internal assessment using the Language Assistance Monitoring Checklist provided in the FTA's "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers."

Based on the feedback received from community members and agency employees, Peninsula Agency on Aging will make incremental changes to the type of written and oral language assistance provided as well as to their staff training and community outreach programs. The cost of the proposed changes and the available resources will affect the enhancements that can be made, and therefore Peninsula Agency on Aging will attempt to identify the most cost-effective approaches.

As the community grows and new LEP groups emerge, Peninsula Agency on Aging will strive to address the needs for additional language assistance.

IX. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49 CFR Section 21.5(b) (1) (vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

Peninsula Agency on Aging has a transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which are selected by PAA or appointed by the local governmental entities.

**SEE APPENDIX F- TABLE MINORITY REPRESENTATION ON COMMITTEES BY
RACE**

X. MONITORING TITLE VI COMPLAINTS

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Transportation Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

APPENDIX A - TITLE VI NOTICE TO THE PUBLIC

Non-Discrimination Statement

Peninsula Agency on Aging, Inc. (PAA) gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964 and all related statutes. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which PAA receives Federal financial assistance.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been excluded from the participation in, been denied the benefits of, or been otherwise subjected to discrimination under any program or activity for which PAA provides assistance, and believes the discrimination is based upon race, color, national origin, gender, age, economic status or limited English proficiency has the right to file a formal complaint.

A complaint must be submitted within 180 days of the alleged discriminatory act. If a complaint addresses PAA, you may file the complaint thru email via the link below, by phone or in writing.

The following information shall be included with the complaint:

- Your name, address, and how to contact you
- How, when, where and why you believe you were discriminated against
- The location, names and contact information of any witnesses

For complainants who may be unable to file a written complaint, verbal information will be accepted by the Peninsula Agency on Aging, Inc. at 757-873-0541.

To submit a formal complaint or to request additional information on Title VI obligations for PAA contact as noted below.

Vice President Community Services
Peninsula Agency on Aging, Inc.
739 Thimble Shoals Blvd.
Suite 1006
Newport News, VA 23606
1-757-873-0541

APPENDIX B - TITLE VI NOTICE TO THE PUBLIC LIST OF LOCATIONS

The Peninsula Agency on Aging has Title VI Public Notices pertaining to its transportation service at the following locations:

- Notice posted in 15 PAA passenger vans.
- Notices posted at the Peninsula Agency on Aging offices located at 7239 Thimble Shoals Blvd. Suite 1006, Newport News, Virginia in the main lobby, in the employee entrance, and in the employee kitchen hallway.
- Notice is posted at the Peninsula Agency on Aging office located at 4551 John Tyler Highway, Suite 101, Williamsburg, Virginia in the main lobby.
- Notice is posted on the Peninsula Agency on Aging website: www.paainc.org

APPENDIX C - TITLE VI COMPLAINT FORM

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

If yes, check all that apply:	
[] Federal Agency: _____	
[] Federal Court _____	[] State Agency _____
[] State Court _____	[] Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	
Section VI	
Name of agency complaint is against: _____	
Contact person: _____	
Title: _____	
Telephone number: _____	

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

Signature and date required below

Signature	Date

PENINSULA AGENCY ON AGING

TITLE VI TRANSPORTATION COMPLAINT REFERRAL

(For use by PAA staff other than the PAA Title VI Transportation Manager)

Date complaint received: _____

Complaint's Name: _____

Address: _____

Contact: Telephone: _____

Mobile: _____

Email: _____

Complaint received by: _____

PAA Staff Person

Forwarded to Title VI Transportation Manager: _____

Date

APPENDIX D - INVESTIGATIONS, LAWSUITS AND COMPLAINTS DOCUMENT

PENINSULA AGENCY ON AGING LIST OF INVESTIGATIONS,

LAWSUITS AND COMPLAINTS

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

APPENDIX E - SUMMARY OF OUTREACH EFFORTS

- Peninsula Agency on Aging brochures are distributed throughout the service area
- Bi-monthly meetings of the Peninsula Agency on Aging Community Advisory Committee
- Monthly meetings with the Hampton Senior Citizens Committee
- Monthly meetings with the Peninsula Taskforce on Aging
- PAA staff chairs the Greater Williamsburg Transportation Taskforce quarterly meetings
- PAA Community Health Program presentations

APPENDIX F -TABLE MINORITY REPRESENTATION ON COMMITTEES BY RACE

Committee	Black or African American	White/ Caucasian	Latino/ Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other <i>*Note</i>	Totals
PAA Board of Directors	4	9	1					14
% of PAA Board of Directors	29%	64%	7%					100%
PAA Community Advisory Committee	11	21	1		1			34
% of PAA Community Advisory Committee	32%	62%	3%		3%			100%

**Note – Other races reported: Lithuania, Ukrainian, and Polish*

Peninsula Agency on Aging, Inc.

Newport News, Virginia

Board of Directors

Regular Meeting Minutes

Wednesday, November 20, 2024



- I. The meeting was called to order at 8:56 AM by Chair, Ingo Huemer, and the agenda was approved.
- II. Since Secretary, Ethlyn McQueen-Gibson was absent, Beatrice Sykes called the roll. Members present included Sharon Akins, Robert Brooks, Lewis Dawley, Garnet Gilmore, William Massey, Bob St. Pierre, Tamara Rice, Emily Wyatt and Jeanne Zeidler. Board members absent included Ethlyn McQueen-Gibson and Barbara Watson. York County Board Liaison, Sheri Newcomb was also in attendance. Staff present included Tiffany Speas, Diane Hartley, Randi Keese, Gerald Patesel, La-Netta Davis, and Beatrice Sykes.
- III. New Board Member Introductions – William S. Massey
Mr. Massey took a moment to introduce Emily Wyatt (representing Poquoson), Garnet Gilmore (representing Riverside), and Tamara Rice (representing Newport News).
- IV. Care Coordinator Program Presentation – Diane Hartley and Staff
The department consists of 23 staff members distributed across key areas, including in-home care coordination, personal care services, and assistive technologies. They provide family caregiver supports, such as support groups (including a Spanish group launching in 2025), Memory Café events, and educational series. The "Serve Our Seniors" (SOS) program focuses on assisting low-income older adults with accessing services like legal aid and public benefits with minimal barriers. Information and referral services respond promptly to both calls and walk-ins.

Health Promotion programs, coordinated by Neha Parikh, include evidence-based initiatives like Tai Chi for Arthritis and chronic disease self-management programs. Socialization efforts, such as the Crochet Social Circle and pop-up Active Aging centers, further enhance community engagement. Clara Laury oversees the Community Health Program, targeting underserved and non-native English-speaking populations through outreach, health literacy initiatives, and collaboration with the Virginia Department of Health on key topics like mental health and nutrition.

The Veteran's Directed Program, managed by Stephanie Parker, empowers veterans to self-direct their long-term care services, yielding significant reductions in nursing home admissions. Additional projects include the MIPPA initiative, care transitions, and partnerships like Dementia Friendly Williamsburg. These efforts collectively reflect the department's commitment to promoting health, independence, and well-being for older adults and their caregivers.

V. Approval of the September 18, 2024 Board Meeting Minutes

Motion: Motion made by Jeanne Zeidler and seconded by Sharon Akins for approval of the September 18, 2024 Board Meeting Minutes.

Action: Motion carried.

VI. Advisory Council Report – William S. Massey

All Board Members received the October 10, 2025 Advisory Council Minutes. Mr. Massey shared that Advisory Council Chair, Kim Kutner, is unable to continue serving on the Advisory Council and PAA Board. Mr. Massey is working with Vice-Chair, Nikki Sanders, to assess if she has the availability to serve as the Advisory Council Chair and Board Member. Mr. Massey also shared that there are three prospective members to come before the Board for appointment:

- A. Allan Melton, Representative of Poquoson Dining Site
- B. Lisa Robinson-Gorham, Representative of Hampton Dining Site
- C. Diane Schwartz, Retired Director of Operations at Williamsburg Hospice

In addition, each year, the PAA Board of Directors re-appoints the Advisory Council Membership. All Board Members received copies of the Advisory Council Membership List.

Motion: Motion made by Bob St. Pierre and seconded by Jeanne Zeidler for the re-appointment of all Advisory Council members, including the three new members.

Action: Motion carried.

VII. Social Justice Committee (SJC) Update – Tiffany Speas

During the meeting, Tiffany introduced the AARP Livable Index website, demonstrating its use in evaluating community quality of life across dimensions like housing, transportation, health, and civic engagement. The committee discussed leveraging this data to identify state and local needs, prioritize challenges, and address them, emphasizing the alignment with PAA's Strategic Plan for an Age-Friendly Environment.

VIII. Foundation Board Report – CEO

Mr. Massey shared that Martha Tennille has resigned as President from the PAA Foundation Board. Bob St. Pierre will likely be stepping in as chair, if elected by the Foundation Board.

- A. Re-Appointment of William Massey, Loye Spencer, and Sally Wolfe to the Foundation Board.

Motion: Motion made by Sharon Akins and seconded by Jeanne Zeidler for the re-appointment of William Massey, Loye Spencer, and Sally Wolfe to the Foundation Board.

Action: Motion carried.

IX. CEO Report – William S. Massey

All members received copies of the CEO Report and it is attached to the minutes in the Minutes Book. Mr. Massey expressed gratitude to the board and staff for their support of the 50th Anniversary Gala. On October 30th, PAA hosted Deputy Commissioner Kiersten Ware,

showcasing the organization's work. On November 18th, the Peninsula Community Foundation presented findings on aging services to local leaders, emphasizing the challenges of a rapidly aging population. Reauthorization of the Older Americans Act remains a priority, alongside efforts to expand the Veteran Directed Care Program. PAA is advocating for \$4.35 million in additional state funding for aging services.

X. Financial Report – Jeanne Zeidler

Tiffany Speas reported that the FY 2024 Audit has been completed with an unmodified (positive) opinion, though a few items still require finalization before the Audit Committee's report in January. \$161,000 will be added to the fund balance since FY 2023, including \$84,000 from the Veteran Directed Care Program.

Tiffany Speas reported on the monthly financials. Expenses appear low and revenue high, with current assets slightly down but expected to normalize by January. Donations are significantly elevated year-to-date, largely due to the gala, resulting in net revenue of \$15,000, with some sponsor revenue still pending. Board members commended PAA for maintaining administrative costs below 10% (required by the Older American's Act).

A. Non-Corporate Resolution with Davenport Financial Management

There are a few investments that are currently unmanaged following the retirement of the previous investment manager. Additionally, PAA lacks access to smaller investments in DOW, DuPont, and Cortiva. Earlier in the year, Tiffany Speas proposed consolidating all investment accounts with Davenport Financial Management and merging the DOW, DuPont, and Cortiva holdings into the Dodge and Cox funds. The resolution authorizes Mr. Massey and Tiffany Speas to complete the necessary paperwork to access these funds, with the assistance of Davenport.

Motion: Motion made by Robert Brooks and seconded by Bob St. Pierre to authorize Mr. Massey and Tiffany Speas to complete the necessary paperwork to access PAA's investment accounts, with the assistance of Davenport Financial Management.

Action: Motion carried.

XI. Staff Reports:

A. Home Delivered Meals Waitlist Update

The Home Delivered Meals waitlist is expected to decrease to approximately 200 individuals by the end of December 2024. While the need remains significant, PAA recently removed 70 individuals from the waitlist for meal assessments.

XII. New Business

A. Re-Appointment of Standing Committee Members – Ingo Huemer

All members received copies of the Committee Listing and Responsibilities Document. Ingo Huemer thanked Board Members for being willing to serve in these capacities.

- B. Approval of Title VI Transportation Plan and Procedures Update – Gerald Patesel
PAA, a recipient of FTA 5310 funds, must update its Title VI Plan and Procedures every three years. The Virginia Department for Rail and Public Transportation (DRPT) and KFH Group provide the template and research support. Updates included demographic data for the Board and Advisory Committee, provided by Beatrice Sykes. Once approved by the Board and signed by Mr. Huemer and Ingo Huemer, the plan will be submitted to DRPT along with approved November 20, 2024, Board minutes.

Motion: Motion made by Sharon Akins and seconded by Jeanne Zeidler to approve the updates to the Title VI Plan and Procedures Update.

Action: Motion carried.

- C. Please sign and return Conflict of Interest Forms to Beatrice Sykes.

XIII. CEO Evaluation in Executive Session – 10:07 AM

Motion: Motion made by Jeanne Zeidler and seconded by Sharon Akins to convene in closed session to discuss the performance of a senior director and related matters lawfully exempted from public discussion under Sections 2.2-371(A)(1) and 2.2-3712 of the Code of Virginia (the Virginia Freedom of Information Act)."

Action: Motion carried.

XIV. Reconvened in Open Session – 10:20 AM

All board members certified that only matters lawfully exempted from open meeting requirements under Virginia Law that were identified in the motion convening the Closed Session were heard, discussed or considered in the Closed Session.

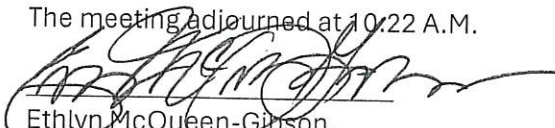
XV. Announcements

A. The Board of Directors are Invited to the December 12, 2024 Advisory Council Luncheon on December 12, 2024. Please RSVP to Beatrice Sykes by November 30, 2024.

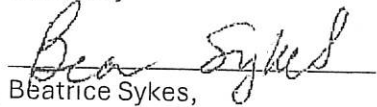
B. The next meeting of the PAA Board of Directors is scheduled for Wednesday, January 22, 2025 at 9 AM.

XVI. Adjournment:

The meeting adjourned at 10:22 A.M.


Ethlyn McQueen-Gibson,
Secretary

1/31/2025
Date Signed


Beatrice Sykes,
Recorder

1/30/2025
Date Signed