

City of Naperville Title VI Program for Ride DuPage

A. Title VI Program Notice:

The City of Naperville assures that no person shall on the grounds of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987, 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.

In the event the City of Naperville distributes federal aid funds to another governmental entity, the City of Naperville will include Title VI language in all written agreements and will monitor for compliance.

B. Title VI Notice to the Public:

In accordance with the 49 C.F.R. Section 21.9, the City of Naperville provides public notice of this program by way and in the form of the document attached as Exhibit A. This notice is provided at the City of Naperville Municipal Center on the public bulletin board located in the Municipal Center lunchroom and on the City website at www.naperville.il.us.

C. Title VI Instructions to Public Regarding How to File a Complaint:

The public notice attached as Exhibit A provides the public with instructions regarding how to file a Title VI complaint with the City of Naperville. A copy of the complaint form provided to potential Title VI complainants is attached hereto as Exhibit B. The mechanics of addressing a complaint are described below.

Who May File a Complaint: Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the City using the complaint form. In addition to filing a written complaint, the bi-monthly Naperville City Council Meetings have a "Public Forum" section where complainant may state their alleged violation.

Once a Complaint is Filed: Upon receipt of the complaint, the City of Naperville will determine its jurisdiction, need for additional information, and the investigative merit of the complaint. Acceptance of a complaint will be determined by whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation and whether the allegations involve a program or activity of a Federal-aid recipient, subrecipient, or contractor. If the complaint is a result of an "incident", an Incident Report is to be completed and signed by the staff member involved.

Resolution of the Complaint: The complainant must first discuss his or her complaint with the City of Naperville Transportation Project Manager in an attempt to resolve the problem. If, after the discussion with the persons involved that no resolution can be reached, the Complaint shall be referred to the City's Deputy Director of the Transportation, Engineering

and Development Business Group for a decision in writing within ten (10) working days.

Appeal Process: If the grievance is not resolved, the complainant may appeal in writing to the City Manager for the City of Naperville within five (5) working days of receipt of notification from the Deputy Director of his/her decision. The City Manager, or his designee, shall review the complaint, any supporting documentation and the decision and issue a written finding within ten (10) working days from the date the City Manager received the written appeal.

D. Listing of all Title VI Investigations, Complaints, or Lawsuits:

Since the last submission of the City of Naperville's Title VI program there have been no Title VI investigations, complaints or lawsuits.

E. Public Participation:

The City of Naperville serves as the subrecipient and lead municipal partner for the Ride DuPage program. Pace Suburban Bus is a partner in the Ride DuPage program and provides the day-to-day operations of the transit service. For this reason, the City of Naperville has limited direct interaction with the public that benefits from this service. Information regarding Pace's Title VI Program is available on their website at www.pacebus.com.

The City of Naperville is committed to promoting public participation and ensuring the viewpoints of low-income, minority, and Limited English Proficiency (LEP) populations are sought out and considered. All City Council and Transportation Advisory Board meetings are open to the public in locations that are accessible to persons with disabilities. The Ride DuPage program operates 24 hours per day seven days per week and is therefore available when meetings are held. All meeting notifications are published on the City of Naperville website.

F. Limited English Proficiency (LEP) Program:

Policy

It is the policy of the City of Naperville to ensure that all services and programs offered by the City of Naperville are accessible to individuals who are limited-English-proficient. Title VI of the Civil rights Act of 1964 requires that all persons who are non-English or limited-English-speaking have the same access to services as all other persons. It is the obligation of the City to offer qualified interpreters in other languages to all clients who are non-English-speaking or limited-English-speaking. The City's obligation to provide such language interpreters is not dependent on the clients request for same.

Definitions

Person who is limited-English-proficient: A person whose primary language or dialect is a language other than English, and who has difficulty speaking and/or comprehending the English language.

Qualified translator: A person fluent in English and in the necessary language of the client

who can accurately speak, read, and readily interpret the necessary second language for clients who are limited-English-proficient. Interpreters shall have the ability to translate and describe completely the client's needs in both languages.

Language or communication barrier: With respect to spoken language, barriers that are experienced by limited-English-speaking or non-English-speaking individuals who speak the same primary language.

Procedures

Staff will determine with the client if interpretation is needed by any of the following:

1. Client or client's family/friend requests an interpreter.
2. Staff's inability to effectively communicate in client's language.

Clients may inform staff of the language interpretation needed to effectively communicate. Staff will then review the internal interpreter/translator list and determine if someone can assist. When a language or communication barrier exists, the City will arrange for a qualified translator to be present in all situations where effective communication is necessary. These situations shall include, but not be limited to, the intake process, application process, obtaining informed consent and explaining procedures, policies, and requested forms.

Relatives or friends of the limited-English-speaking client shall not be used as interpreters unless, after clearly communicating to the client the availability and benefits of using a qualified interpreter, the client specifically rejects the services of the qualified interpreter and requests the services of a relative or significant other. If this occurs it must be mentioned in the client's case notes.

A list of in-house interpreters will be maintained by the City Clerk's office. The list will be updated at least once a year.

According to the U.S. Census Bureau 2013-2017 American Community Survey 5-Year Estimates, of the City of Naperville's total population of persons age five years and over of 137,775, an estimated 7,105 persons (5.2%) speak a language other than English and speak English less than "very well". The following primary languages were identified:

Language Spoken at Home	Population Five Years and Over	Percent of Total Population Five and Over
Spanish	1,056	0.8%
Other Indo-European Languages	2,341	1.7%
Asian and Pacific Island Languages	3,505	2.5%
Other Languages	203	0.2%

G. Racial Breakdown of Transit-Related, Non-Elected Planning Boards, Advisory Council, or Committees, or Similar Decision-Making Bodies:

Body	Caucasian	Latino	African American	Asian American	Native American
Transportation Advisory Board	100%				

The Transportation Advisory Board consists of nine members who are appointed by the Mayor with approval of City Council. The membership criteria is as follows:

- At least four (4) of said members shall have professional expertise in the various facets of the duties of the Board, by virtue of their training and/or employment. Said areas of expertise shall include, but are not necessarily limited to: engineering, the law, transportation operations, marketing, financing, environmental management and safety.
- At least two (2) of said members shall have demonstrated interest in pedestrian or bicycle issues through professional expertise or participation in various civic organizations, clubs or committees/boards/commissions that have a pedestrian or bicycle focus.
- At least four (4) of said members shall represent as broadly as possible geographic and/or social elements within the area served by the Naperville Plan Commission. Said representation shall include, but not necessarily be limited to: students, retired persons, the handicapped, homemakers, the business community, newly developed areas, and low and moderate income persons.