



City of Sun Valley

Title VI Plan

October 2024

INTRODUCTION

The City of Sun Valley's Title VI plan is part of the City's continual and ongoing effort to proactively meet and exceed the minimum compliance requirements established under the provisions of Title VI of the Civil Rights Act of 1964 and the related anti-discrimination statutes, executive orders, policies, and regulations. Title VI prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance.

Federal-aid recipients, subrecipients, and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services whether these programs, activities and services are federally funded or not. As recipient of federal-aid funding, the City of Sun Valley strives to achieve nondiscrimination in all its programs and activities. The City of Sun Valley further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

NON-DISCRIMINATION POLICY STATEMENT

It is the express policy of the City of Sun Valley that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving federal funds on the grounds of race, color, national origin, sex, age, disability, or income, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Title IX of the Education Amendments Act of 1972, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166. It is also the express policy of the City that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City program or activity, whether those programs and activities are federally funded or not, on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income. Harassment and retaliation are also prohibited forms of discrimination.

TITLE VI PLAN ORGANIZATION AND STAFFING

The City Clerk is responsible for ensuring the City's compliance with Title VI requirements and Chapter 38 Article 1, including, but not limited, to monitoring City programs, preparing required reports and undertaking such other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21. The Title VI Coordinator is responsible for:

- Submitting an FHWA Title VI Plan and Language Assistance Plan to responsible agency;
- Responding to and coordinating with the responsible agency Title VI Compliance Reviews;
- Developing Title VI complaint procedures and forwarding any Title VI complaints to responsible agency within three (3) business days;
- Reviewing, monitoring, and enforcing Title VI responsibilities within the agency;
- Collecting and analyzing data related to Title VI;
- Ensuring that staff is adequately trained on Title VI policies;
- Disseminating Title VI information to the public, including providing notice and opportunities for public participation;
- Reviewing local directives for Title VI implications;
- Incorporating Environmental Justice principles into programs and activities; and
- Ensuring that the Title VI Plan remains up to date.

City Clerk
Title VI Coordinator
PO Box 416, Sun Valley, ID 83353
clerk@sunvalleyidaho.gov or 208-622-4438

TITLE VI PROGRAM COMPONENTS

Elimination of discrimination

The City will continue its practice of identifying discrimination based on race, color, religion, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, and where such discrimination is found to exist, implementing programs or practices to eliminate the discrimination.

Public dissemination of information

The Title VI Coordinator and Department Heads shall assist City staff in the creation and dissemination of Title VI program information to City employees, sub recipients, contractors, Affected Parties, and the general public.

Departmental responsibilities

Each Department Head is responsible for Title VI compliance for individual projects. Compliance activities include, but are not limited to:

1. Ensuring that all aspects of a Proposed Project's planning process and operations comply with the Title VI requirements.
2. Ensuring that Affected Parties have meaningful access to a Proposed Project's planning processes.
3. Assisting the Title VI/Section 504 Coordinator in gathering and organizing data.
4. Reviewing the Department work programs, policies, and other directives to ensure compliance with the Title VI requirements.
5. Verifying the level of participation of Affected Parties at public outreach meetings.

Title VI assurances in contracts and grants

The City's Administration department, and Department Heads are responsible for the City's general contracting, consultant selection, negotiation, and administration of contracts for the City. All departments will ensure that federally funded contracts administered by the City contain Title VI Assurances. In the event that the City distributes federal funds to another entity through grants or other agreements, the City Administrator and assigned Grant Manager administering the grant or agreement will ensure that such grants and agreements contain the Title VI Assurances. The Department Head or grant administrator will monitor the performance of the contract or grant for compliance. The Title VI Coordinator and Department Heads will coordinate efforts to ensure that the requirements of Title VI are met throughout the entire contracting and grant performance process.

Data collection

Statistical data on Affected Parties will be compiled by each Department. The data compilation process will be reviewed regularly by the Title VI Coordinator and the Department Heads to ensure the data is sufficient to meet the requirements of this Title VI Plan.

Training program

Annual training will be made available to Department Heads and other City staff responsible for the implementation of the Title VI Requirements. Training will provide comprehensive information on the

Title VI requirements and its application to specific programs or operations; assistance on the identification of Title VI issues; and an overview of the complaint process.

Preventive and remedial efforts

The City will actively seek to prevent Title VI deficiencies or irregularities, and to remedy them. When a Department Head or their staff reasonably believes a contractor or sub-recipient has violated a Title VI Requirement, the Department Head will follow the following process:

1. The grant administrator, Title IV Coordinator, and the Department Head will meet with the contractor or subcontractor to conduct an initial review of the facts supporting a finding that a violation of the Title VI requirements has occurred or is occurring.
2. If, after the initial review, the Department Head and Title VI Coordinator concludes that the contractor or sub-recipient has violated the Title VI Requirements, the contractors or sub-recipient will be given a reasonable time, not to exceed 90 days from the date notice is provided to the contractor or sub-recipient, to voluntarily correct noncompliance.
3. The City will seek to obtain the cooperation of the contractor or sub-recipient in correcting non-compliance and will offer to provide technical assistance needed by the contractor or sub recipient to obtain voluntary compliance with the Title VI Requirements.
4. A follow-up review will be conducted within 180 days of the date notice is provided to the contractor or sub-recipient to ensure that the violation of the Title VI Requirements has been corrected. If, after the review, the contractor or sub-recipient has failed to correct the violation, the Mayor or City Administrator may take appropriate action (*e.g.*, withhold funds, cancel contract) required to comply with the City's obligation under the federal grant.
5. When a contractor or sub-recipient has failed or has refused to comply with Title VI Requirements within the one hundred and eighty (180) day period after the initial review, the Title VI Coordinator with assistance from the Department Head will submit two copies of the file to the appropriate state or federal agency (*e.g.*, ODOT's Office of Civil Rights or the FHWA), along with a recommendation that the file be reviewed for a determination of whether the contractor or sub-recipient has violated the Title VI Requirements.

COMPLAINT PROCESS

Any person who believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in his or her receipt of benefits and/or services from the City, or by a contractor or sub-recipient on the grounds of race, color, national origin, sex, age, disability, or income, may file a Title VI Complaint with the Title VI Coordinator. The City of Sun Valley has a standard process for investigating all complaints. Members of the public may file a signed, written complaint up to one hundred and eighty (180) days from the date of alleged discrimination. Procedures for filing a complaint are as follows:

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the City of Sun Valley. A complaint may also be filed by a representative on behalf of such a person.
2. The Complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s). In cases where the complaint is unable or incapable of providing a written statement, a verbal complaint

- may be made. If necessary, the Title VI/Section 504 Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature.
- b. Include the date of the alleged act of discrimination date when the complainant became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties of the complaint.
 - d. Federal and state law requires complaints be filed within one hundred and eighty (180) calendar days of the alleged incident.
3. Within ten (10) days of receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and/or need for additional information. The complainant will be provided with a written acknowledgement that the City has either accepted or rejected the complaint.
 4. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. The complainant fails to respond to requests for additional information needed to process the complaint.
 - c. The complainant cannot be located after reasonable attempts.
 5. Within sixty (60) days, the Title VI Coordinator will conduct an investigation of the allegations and based on the information obtained, will render a recommendation for action in a report of findings to the Mayor and City Administrator. The complaint should be resolved by informal means whenever possible. Such information attempts and their results will be summarized in the report of findings.
 6. Within 90 days of receipt of the complaint, the Mayor will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the appropriate Federal or State agency, if they are dissatisfied with the final decision rendered by the City of Sun Valley.
 - a. The City of Sun Valley will reconsider this determination if new facts come to light.
 - b. If the complainant is dissatisfied with the determination and/or resolution set forth by the City of Sun Valley, the same complaint may be submitted to the appropriate Federal or State agency for investigation.
 7. The Title VI Coordinator will also provide the appropriate Federal or State agency with a copy of the decision and summary of findings upon completion of the investigation within one hundred and twenty (120) days of the receipt of the complaint.
 8. A complaint may be filed in writing with the City at the following address:
City of Sun Valley
Attention: City Clerk
PO Box 416
Sun Valley, ID 83353

In person: 81 Elkhorn Road, Sun Valley
Email: clerk@sunvalleyidaho.gov
By Phone: 208-622-4438
By Fax: 208-622-3401

At a minimum, complaints should include the following information:

- Name, mailing address, and how to contact the complainant (*i.e.*, telephone number, e-mail, address, etc.)
- How, when, where, and why the complainant alleges they were discriminated against. Include the location, names and contact information of any witnesses.
- Other significant information.

Contacts for the different Title VI administrative jurisdictions:

- Idaho Transportation Department
Office of Civil Rights
11331 W. Chinden Blvd.
Boise, ID 83714
Civilrights@itd.idaho.gov
Phone: 208-334-8884
- Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
1200 New Jersey Ave., SE, 8th Floor E81-105
Washington, DC 20590
Civilrights@fhwa@dot.gov
Phone: 202-366-0693
- Federal Highway Administration, Idaho Division
3050 Lakeharbor Lane #126
Boise, ID 83703
Idaho.fhwa@dot.gov
Phone: 208-334-1843
- Seattle Regional Office of FHEO
US Department of Housing and Urban Development
Seattle Federal Office Building
909 First Avenue, Room 205
Seattle, WA 98104-1000

City of Sun Valley

Title VI Complaint Form

Title VI prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. This form may be used to file a complaint with the City of Sun Valley based on violations of Title VI of the Civil Rights Act of 1964, as amended. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. Complaints must be filed within 180 days from the date of the alleged discrimination. The following information is necessary to assist the City in processing your complaint. If you require assistance in completing this form, please contact the City Clerk at clerk@sunvalleyidaho.gov or 208-622-4438.

SECTION 1:	
Name:	Date:
Address:	
Telephone:	Email:
SECTION 2:	
Name of person (if known), department or program that discriminated:	
Dates of alleged discrimination:	
If your complaint is in regard to discrimination in the delivery of services or discrimination that involves the treatment of you by a person, the City, or City department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.	
___ Race ___ Color ___ Age ___ Disability ___ Religion ___ National Origin ___ Sex ___ Income	
Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination. (Attach additional sheets, if necessary, and provide a copy of written material pertaining to your case.)	

Signature:	Date:
<p>Please return completed form to: City Clerk, PO Box 416, 81 Elkhorn Road, Sun Valley, ID 83353 or emailed to clerk@sunvalleyidaho.gov. <i>Please note that the City of Sun Valley prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.</i></p>	

DEFINITIONS

As used in this Title VI Plan, the following mean:

Affected Parties: persons protected against discrimination because of race, color, national origin, sex, age, disability, or income by the Title VI Requirements.

Contractor: a person or entity who has entered into an agreement with the City that is subject to the Title VI Requirements.

LEP Plan: The Limited English Proficient Plan established by the City to assist individuals who do not speak English as their primary language, and who therefore have limited ability to read, speak, or understand the English language and connect with City government and assist with needed services.

Meaningful access: the provision of communicative assistance by the City necessary to allow affected persons to participate in governmental services/activities.

Proposed Project: a project that receives federal funds and is subject to the Title VI Requirements.

Sub-recipient: a person or entity that receives federal funds from the City to be used by the entity to further the objectives of the federal grant. The City is the recipient of the grant, and the person or entity is a sub recipient of those grant funds. An example of a subrecipient relationship would be where the City grants federal funds to a non-profit corporation that the corporation uses to provide assistance for low-income households to pay utility bills.

Title VI Assurances: conditions imposed upon contractors or subrecipients as a result of federal funding being directly or indirectly provided to the contractor or subrecipient.

Title VI Requirements: the nondiscrimination provisions contained in Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166.

LEGAL CITATIONS

Title VI of the Civil Rights Act of 1964 [Pub. L. 88-352 (1964), codified as 42 U.S.C. §§2000d through 2000d-4]: Title VI of the Civil Rights Act of 1964 prohibits the discrimination in, or the denial of benefits under, any program or activity receiving federal financial assistance on grounds of race, color or national origin.

The Civil Rights Restoration Act of 1987, [Pub. L. 100-259, Sec. 6 (1988), codified as 42 U.S.C. §2000d-4a]: 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.

Title IX of the Education Amendments Act of 1972, codified as 20.U.S.C. §1681-1688. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Federal Aid Highway Act of 1973, [Pub. L. 93-87 (1973), codified as 23 U.S.C. §324]: The Federal Aid Highway Act of 1973 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, [Pub. L. 94-135 (1975), codified as 42 U.S.C. §6102]: The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans with Disabilities Act of 1990, Subchapter 2, Part A [Pub. L. 101-336 (1990); codified as 42 U.S.C. §§12131-12134]: The Americans with Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973 [Pub. L. 93-112 (1973), codified as 29 U.S.C. §794]: Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

23 CFR Part 200: 23 CFR 200 are administration regulations promulgated by the Federal Highway Authority that specify the Title VI implementation requirement for state departments of transportation at state and local levels.

49 CFR Part 21: 49 CFR 21 are administration regulations promulgated by the US Department of Transportation that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

Exec. Order No. 12898: Executive Order 12898 regards federal actions to address Environmental Justice in minority populations and low income populations. (Environmental justice seeks equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class. Additionally, environmental justice means that no group of people including racial, ethnic or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, land-use planning and zoning, municipal and commercial operations or the execution of federal, state, local and municipal programs and policies).

Exec. Order No. 13166: Executive Order 13166 regards the improvement of access to services for persons with Limited English Proficiency.

LIMITED ENGLISH PROFICIENCY PLAN

INTRODUCTION

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

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

PLAN SUMMARY

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

In order to prepare this plan, the City of Sun Valley used the four-factor LEP analysis, which considers the following factors:

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

FACTOR 1: THE NUMBER AND PROPORTION OF LEP PERSONS SERVED OR ENCOUNTERED IN THE ELIGIBLE SERVICE POPULATION

Task 1, Step 1: Examine prior experiences with LEP individuals

There is no large geographic concentration of any type of LEP individuals in the service area for the City of Sun Valley. The City's Police Department has had only a few instances with individuals who first language is not English.

Task 1, Step 2: Become familiar with data from the U.S. Census

The 2022 American Community Survey (ACS) describes the languages spoken in the City of Sun Valley.

	Estimate
Total:	1,383
Speak only English	1,254
Spanish or Spanish Creole:	89
Other Indo-European languages:	40
Asian and Pacific Island languages	0
Other and unspecified languages:	10

Task 1, Step 2A: Identify the geographic boundaries of the area that your agency serves.

The City of Sun Valley's service area is defined by the city limits.

Task 1, Step 28: Obtain Census data on the LEP population in your service

LANGUAGE SPOKEN AT HOME FOR THE POPULATION 5 YEARS AND OVER

Data Set: 2022 American Community Survey 5-Year Estimates

NOTE. Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

Label	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	1,383	±373	(X)	(X)
Speak only English	1,254	±372	90.7%	±7.1
Speak a language other than English	129	±95	9.3%	±7.1
SPEAK A LANGUAGE OTHER THAN ENGLISH				
Spanish	89	±76	6.4%	±5.2
5 to 17 years old	0	±13	0.0%	±2.7
18 to 64 years old	57	±68	4.1%	±4.8
65 years old and over	32	±50	2.3%	±3.5
Other Indo-European languages	40	±59	2.9%	±4.5
5 to 17 years old	0	±13	0.0%	±2.7
18 to 64 years old	30	±58	2.2%	±4.3

65 years old and over	10	±16	0.7%	±1.2
Asian and Pacific Island languages	0	±13	0.0%	±2.7
5 to 17 years old	0	±13	0.0%	±2.7
18 to 64 years old	0	±13	0.0%	±2.7
65 years old and over	0	±13	0.0%	±2.7
Other languages	0	±13	0.0%	±2.7
5 to 17 years old	0	±13	0.0%	±2.7
18 to 64 years old	0	±13	0.0%	±2.7
65 years old and over	0	±13	0.0%	±2.7
CITIZENS 18 YEARS AND OVER				
All citizens 18 years old and over	1,213	±312	(X)	(X)
Speak only English	1,142	±310	94.1%	±5.0
Speak a language other than English	71	±61	5.9%	±5.0
Spanish	61	±59	5.0%	±4.8
Other languages	10	±16	0.8%	±1.3

	Sun Valley city, Idaho								
	Total		Percent		Percent of specified language speakers				
			Speak English only or speak English "very well"	Percent speak English only or speak English "very well"	Speak English less than "very well"	Percent speak English less than "very well"			
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate
Population 5 years and over	1,383	±373	(X)	(X)	1,326	±365	95.9%	±4.8	57
Speak only English	1,254	±372	90.7%	±7.1	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	129	±95	9.3%	±7.1	72	±75	55.8%	±42.3	57

SPEAK A LANGUAGE OTHER THAN ENGLISH										
Spanish	89	±76	6.4%	±5.2	32	±50	36.0%	±49.5	57	
5 to 17 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
18 to 64 years old	57	±68	4.1%	±4.8	0	±13	0.0%	±42.2	57	
65 years old and over	32	±50	2.3%	±3.5	32	±50	100.0%	±56.3	0	
Other Indo-European languages	40	±59	2.9%	±4.5	40	±59	100.0%	±50.4	0	
5 to 17 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
18 to 64 years old	30	±58	2.2%	±4.3	30	±58	100.0%	±58.2	0	
65 years old and over	10	±16	0.7%	±1.2	10	±16	100.0%	±100.0	0	
Asian and Pacific Island languages	0	±13	0.0%	±2.7	0	±13	-	**	0	
5 to 17 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
18 to 64 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
65 years old and over	0	±13	0.0%	±2.7	0	±13	-	**	0	
Other languages	0	±13	0.0%	±2.7	0	±13	-	**	0	
5 to 17 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
18 to 64 years old	0	±13	0.0%	±2.7	0	±13	-	**	0	
65 years old and over	0	±13	0.0%	±2.7	0	±13	-	**	0	
CITIZENS 18 YEARS AND OVER										
All citizens 18 years old and over	1,213	±312	(X)	(X)	1,184	±318	97.6%	±3.7	29	
Speak only English	1,142	±310	94.1%	±5.0	(X)	(X)	(X)	(X)	(X)	

Speak a language other than English	71	±61	5.9%	±5.0	42	±52	59.2%	±54.9	29
Spanish	61	±59	5.0%	±4.8	32	±50	52.5%	±52.5	29
Other languages	10								
			±16		0.8%	±1.3	10	±16	100.0%
									±100.0

Task 1, Step 2C: Analyze the data you have collected.

Non-proficiency is determined by adding those who speak English in any category other than *very well*. In Sun Valley, a total of 57 persons [4.1%] are identified with limited English proficiency. Of these individuals, 57 speak Spanish, 0 speak Other languages.

Task 1, Step 2D: Identify any concentration of LEP persons within your service area.

There is no large geographic concentration of any type of LEP individuals in the service area for the City of Sun Valley.

Task 1, Step 3: Consult state and local sources of data

Sun Valley, Idaho is a part of Blaine County, Idaho. According to the United States Census, 89.2% of persons in Idaho speak only English. In addition to speaking English, 7.9% also speak Spanish at home followed by other Indo-European languages at 1.4%, Asian and Pacific Islander languages at 0.9% and other languages comes in at 0.5%.

Task 1, Step 4: Reach out to community organizations that serve LEP persons

The majority of the population in Sun Valley, 90.7%, speak only English. As a result, there are few social, service, professional and leadership organizations within the City of Sun Valley service area that focus on outreach to LEP individuals. The Community Library, located in Ketchum, Idaho, offers language programs for nonnative speakers of English. Sun Valley also resides within 80 miles of the College of Southern Idaho. They offer English language classes to help with speaking, reading, writing and listening skills. These are held at the College of Southern Idaho’s Gooding campus.

FACTOR 2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH YOUR PROGRAMS, ACTIVITIES, AND SERVICES

Task 2, Step 1: Review the relevant programs, activities, and services you provide

The City of Sun Valley staff are most likely to encounter LEP individuals through Fire and Police services, office visits, phone conversations, communication from staff of impacts on City services, utilities, and attendance at various City meetings. LEP individuals may also use the City's transit system through the fixed route or ADA paratransit system. Contact with transit would be through dispatch, administrative office, or bus drivers.

City staff have had very few contacts with LEP persons. The City has utilized the Assistant City Clerk/Assistant Finance Manager, who is fluent in Spanish. There have been no other requests for interpreters or translated program documents.

Task 2, Step 2: Review information obtained from community organizations

The Blaine County School District offers a variety of programs and resources for Spanish-speaking students, including a Dual Immersion program and an English Development program. About 38% of the district's student population is of Hispanic or Latino descent and nearly 20% are developing their English language skills. Blaine County offices has Spanish speakers on staff and regularly translates their documents into Spanish.

Task 2, Step 3: Consult directly with LEP persons

Based on the little known LEP interactions reported or services requested, most City personnel have not yet had the opportunity to consult directly with LEP persons during the course of their work.

FACTOR 3: THE IMPORTANCE TO LEP PERSONS OF YOUR PROGRAM, ACTIVITIES, AND SERVICES

Task 3, Step 1: Identify your agency's most critical services

The most critical services in the City to an LEP individual would be 1) the ability to access emergency personnel, 2) the ability to contact City personnel for non-emergency services such as utilities, and 3) the ability to access public transportation.

FACTOR 4: THE RESOURCES AVAILABLE TO THE RECIPIENT AND COSTS

Task 4, Step 1: Inventory language assistance measures currently being provided, along with associated costs

The City of Sun Valley has a fluent employee on staff to help with translation services.

Task 4, Step 2: Determine what, if any additional services are needed to provide meaningful access

Due to the majority of the population speaking English "very well," and the fact that services have not been requested, it is determined that it is not necessary to provide any additional services at this time.

LANGUAGE ASSISTANCE

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

How the City of Sun Valley staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All City administrative offices will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- City of Sun Valley staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.

- When the City of Sun Valley sponsors an informational meeting or event by informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures

Although there is a very low percentage in the City of Sun Valley of LEP individuals, that is, persons who speak English "not well" or "not at all," Sun Valley will strive to offer the following measures:

- The City of Sun Valley staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
- The following resources will be available to accommodate LEP persons:
 - According to the census, Spanish could potentially be encountered. For this reason, "I Speak" cards will be used to determine and document when translation resources would be needed.

STAFF TRAINING

The following training will be provided to all staff:

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

All contractors or subcontractors performing work for the City of Sun Valley will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

The City of Sun Valley weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents, there is no one higher percentage language besides English, and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, the City of Sun Valley does not have a formal outreach procedure in place, as of 2023. Translation resources have been identified. However, when and if the need arises for LEP outreach, the City of Sun Valley will consider the following options: when staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

MONITORING

The City of Sun Valley will update the LEP Plan as required. At a minimum, the plan will be reviewed as updated census data becomes available and when it is clear that higher concentrations of LEP individuals are present in the City of Sun Valley service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.

- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the City of Sun Valley's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the City of Sun Valley fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

DISSEMINATION OF THE CITY OF SUN VALLEY LEP PLAN

The LEP plan will be posted on the City's website with instruction and information on how to access language services for translation resources needed. Additionally, signs will be posted at City Hall notifying LEP persons of the LEP Plan.

STANDARD DOT TITLE VI ASSURANCES

The City of Sun Valley (hereinafter referred to as the Sponsor) hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation (DOT), it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and all requirements imposed by 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 (hereinafter referred to as the "Regulations") to the end 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 otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. Without limiting the above general assurance, the Sponsor agrees concerning this grant that:

1. Each "program" and "facility" (as defined in Section 21.23(a) and 21.23(b)) will be conducted or operated in compliance with all requirements of the Regulations.
2. It will insert the clauses of Appendix A and E in every contract subject to the Act and the Regulations.
3. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
3. Where Federal financial assistance is received to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
4. Where Federal financial assistance is in the form or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
5. It will include the appropriate clauses set forth in Appendix C and D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Sponsor with other parties:
 - (a) for the subsequent transfer of real property acquired or improved with Federal financial assistance under this project; and
 - (b) for the construction or use of or access to space on, over, or under real property acquired or improved with Federal financial assistance under this Project.
6. This assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to

provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Sponsor or any transferee for the longer of the following periods:

(a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

(b) the period during which the Sponsor retains ownership or possession of the property.

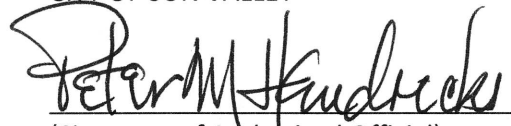
7. It will provide for such methods of administration for the program as are found by the Secretary of transportation of the official to whom he delegates specific authority to give reasonable guarantees that it, other sponsors, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the act, the Regulations, and this assurance.

8. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining Federal financial assistance for this project and is binding on its contractors, the Sponsor, subcontractors, transferees, successors in interest and other participants in the Project. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

Dated: October 3, 2024

CITY OF SUN VALLEY

A handwritten signature in black ink, appearing to read "Peter M. Hendricks", written over a horizontal line.

(Signature of Authorized Official)

MAYOR

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, (Title of Modal Operating Administration), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21. *[Include Modal Operating Administration specific program requirements.]*
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. *[Include Modal Operating Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the (Title of Modal Operating Administration) to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the (Title of Modal Operating Administration), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the (Title of Modal Operating Administration) may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the (Title of Modal Operating Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program), and the policies and procedures prescribed by the (Title of Modal Operating Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Title of Recipient) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Title of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the (Title of Recipient) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

(Information in italics and underlined will be changed depending on specific circumstances.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (Title of Recipient) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Title of Recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Title of Recipient) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

(Information in italics and underlined will be changed depending on specific circumstances.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by (*Title of Recipient*) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, (*Title of Recipient*) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, (*Title of Recipient*) will there upon revert to and vest in and become the absolute property of (*Title of Recipient*) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

(Information in italics and underlined will be changed depending on specific circumstances.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).