

# LE SUEUR COUNTY

## Title VI Compliance and Comprehensive Civil Rights Plan

Adopted by the Le Sueur County Board of Commissioners

Le Sueur County Government Center  
88 S Park Ave  
Le Center, MN 56057

Voice: 507-357-2251

FAX: 507-357-8610

Title VI & Civil Rights Coordinator/ADA Coordinator  
Theresa Kubes, Human Resources Director  
507-357-8221

**This Title VI & Civil Rights Plan is posted at  
the Reception Desk on the first floor of the  
Le Sueur County Government Center and  
is available on the Le Sueur County  
Website [www.lesueurcounty.gov](http://www.lesueurcounty.gov)**

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**Americans with Disabilities Act Advisory**

This information is available in accessible formats to individuals with disabilities. For information about equal access to services, call 507-357-8221 or use your preferred relay service.

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## 1. Policy/Purpose

The Le Sueur County Board of Commissioners is committed to complying with Title VI of the Civil Rights Act of 1964 as amended and all accompanying federal laws, regulations and directives.

This document is Le Sueur County's Plan (hereafter Plan) for compliance with the Title VI Civil Rights Act of 1964 and the accompanying federal laws. Le Sueur County is committed to ensure that no person will be denied the benefits or otherwise be subjected to discrimination in any of its programs or activities within Le Sueur County on the basis of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age. This Plan also serves as a source of information for county agency staff and the general public. It sets out Le Sueur County's civil rights administrative policies and procedures, identifying key contacts within Le Sueur County. In addition, Le Sueur County will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency as outlined below.

When Le Sueur County distributes federal aid funds to another entity, the County will include Title VI language in all written agreements and will monitor them for compliance. This policy and procedure applies to all Le Sueur County departments and agencies, contractors, and elected officials.

## 2. Legal Authorities

- Title VI of the Civil Rights Act of 1964 (race, color, national origin)
- Section 504 of the Rehabilitation Act of 1973 (disability)
- Section 508 of the Rehabilitation Act of 1973 (disability)
- Federal-Aid Highway Act of 1973
- Uniform Relocation Act of 1970
- Title II of the Americans with Disabilities Act of 1990; State and local government services (disability)
- Age Discrimination Act of 1975 (age)
- Section 1557 of the Patient Protection and Affordable Care Act (added sex discrimination in health care programs)
- Title IX of the Education Amendments of 1972 (sex)
- Bilingual Requirement in the Food Stamp Program, Food and Nutrition Service, U.S. Department of Agriculture
- Limited English Proficiency Executive Order #13166
- Environmental Justice Executive Order #12898
- FNS Instruction 113-1, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities, Food and Nutrition Service, U.S. Department of Agriculture (2005)
- 49 C.F.R Part 21
- 23 C.F.R. Part 200
- Minnesota Human Rights Act, Chapter 363A

### **3. Title VI and Civil Rights Coordinator Duties**

Le Sueur County designates Theresa Kubes, Human Resources Director, to serve as the agency's Title VI and Civil Rights Coordinator who will be the County's point person on civil rights matters.

Theresa Kubes, Human Resources Director  
Le Sueur County  
Voice: 507-357-8221  
Or use your preferred relay service  
[theresa.kubes@lesueurcounty.gov](mailto:theresa.kubes@lesueurcounty.gov)

The Title VI and Civil Rights Coordinator's responsibilities, in coordination with the Department Head, include but are not limited to the following:

- Provide guidance and technical assistance on Title VI and Civil Rights matters and be responsible for the overall program, review required for Title VI compliance, develop procedures, and monitor for:
  - a. Prompt processing and resolution of Title VI complaints
  - b. Collection of statistical data (race, ethnicity, color, national origin, sex, disability and age) on participants in, and beneficiaries of the county's programs, activities and services
  - c. Identification of discrimination
  - d. Elimination of discrimination when discrimination is found to exist
  - e. Prompt resolution in deficient areas
  - f. Regular review of county functions to ensure compliance with Title VI requirements
- Ensure Title VI and Civil Rights requirements are included in policy directives and that the procedures used have built-in safeguards to prevent discrimination.
- Correct Civil Rights problems or discriminatory practices or policies found when conducting self-monitoring and compliance review activities.
- Ensure discrimination complaints are fully investigated and allow for a formal review of the investigation.
- Assure that Title VI information for public dissemination is developed in languages other than English, where appropriate.
- Provide information to any complainant about where to file a discrimination complaint and refer discrimination complaints to the Minnesota Human Rights Division or The US Department of Justice Civil Rights Division or other applicable entity when appropriate.

### **4. Equal Opportunity Policy and Procedure**

#### **Le Sueur County Equal Opportunity Policy and Procedure**

It is the policy of Le Sueur County to ensure that no person will be denied the

benefits of or otherwise be subjected to discrimination under any program or activity within Le Sueur County on the basis of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age, in compliance with all applicable civil rights laws.

Le Sueur County employees, services, programs, benefits and policies will not discriminate against applicants, clients, businesses or members of the public because of race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, or age.

This policy covers Le Sueur County's full range of services, programs and benefits. **The policy applies to the agencies and providers receiving federal and state funds under contracts, licenses and other arrangements with Le Sueur County.** The Minnesota Human Rights Act also applies to the work of Le Sueur County and those agencies carrying out its programs.

## 5. Americans with Disabilities Act – 504 Statement

- Disability Law and Standard of Access for State and Local Government Services

Section 504 of the Rehabilitation Act of 1973 protects qualified individuals with disabilities from discrimination based on their disability in federally funded programs and services.

Title II of the Americans with Disabilities Act of 1990 (Title II of the ADA) protects qualified individuals with disabilities from discrimination on the basis of their disability when the discrimination occurs in state or local government services. An agency does not have to receive federal financial assistance to be required to comply with Title II of the ADA. An agency just has to be a state or local government entity.

Le Sueur County must ensure that people with disabilities are able to use their programs and services. Disability laws set out an equal access standard for providing services. This means that individuals with disabilities are entitled to equal access to human services programs; the same standard of access that applies to people without disabilities.

A public agency must reasonably modify its policies, procedures and practices to avoid discrimination. A public agency must also take appropriate steps to ensure that its communications with individuals with disabilities are as effective as communications with others.

- Le Sueur County and all its services, programs and benefits, are accessible to and usable by people with disabilities, including people with hearing loss, low vision and other sensory disabilities. To avoid disability discrimination, Le Sueur County will:

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- Notify the public about rights and protections for people with disabilities under the Americans with Disabilities Act.
- Designate an ADA Contact and maintain a complaint procedure.
- Make sure that, to the extent reasonably possible, its buildings are physically accessible for people with disabilities.
  - Physical access includes:
    - Convenient off-street parking designated specifically for people with disabilities.
    - Curb cuts and ramps between parking areas and the Le Sueur County buildings.
    - Level access into the first floor of all Le Sueur County buildings with elevator access to all other floors.
- Assist individuals with disabilities to apply and qualify for benefits based on their eligibility.
- Provide appropriate auxiliary aids and services, including accessible formats, to ensure effective communication with people with disabilities.
  - Le Sueur County will provide appropriate auxiliary aids and services which include:
    - accessible formats
    - qualified readers, writers and interpreters who convey information effectively, accurately and impartially using any necessary specialized vocabulary.
  - To determine what types of auxiliary aids or services are necessary, Le Sueur County will give primary consideration to the requests of people with disabilities. Le Sueur County will honor the choice of the person requesting the auxiliary aid or service unless it would fundamentally alter the nature of the service, program or benefit or cause an undue administrative or financial burden. If this happens, Le Sueur County will find another equally effective auxiliary aid or service.
- Provide services, programs and benefits that are accessible to and usable by qualified people with disabilities.
- Make reasonable modifications to its policies, procedures or practices when necessary to avoid discrimination on the basis of disability, unless Le Sueur County can demonstrate that making the modifications would fundamentally alter the nature of the services, programs or benefits.
  
- ADA Coordinator

Le Sueur County has designated an ADA Coordinator to serve as its point person on disability matters raised by applicants, clients and members of the public. Questions, concerns, comments or requests for accommodation should be made to the ADA Coordinator:

Theresa Kubes  
Human Resources Director  
Le Sueur County Government Center  
88 S Park Ave  
Le Center, MN 56057  
Voice: 507-357-8221

Or use your preferred relay service  
[theresa.kubes@lesueurcounty.gov](mailto:theresa.kubes@lesueurcounty.gov)

## 6. Le Sueur County's Complaint Procedure

Every individual has the right to equal access to services, whether they are an applicant, client or member of the public. Le Sueur County has implemented this civil rights complaint procedure to provide prompt and thorough resolution of civil rights complaints.

Civil rights complaints allege discrimination. Individuals have a right to file a civil rights complaint if they believe they or an individual they care for has been discriminated against because of their race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age.

It is against the law for anyone who works for Le Sueur County to retaliate against a person who files a complaint or who cooperates in the investigation of a civil rights complaint.

If the Complainant believes that the complainant has been discriminated against by someone working for Le Sueur County, then a civil rights complaint form will be provided. Use the contact information below to file your complaint. You may also contact the Title VI and Civil Rights Coordinator's office at Le Sueur County with additional questions.

Theresa Kubes, Human Resources Director  
Le Sueur County Government Center  
88 S Park Ave  
Le Center, MN 56057  
Voice: 507-357-8221  
FAX: 507-357-8610  
Or use your preferred relay service  
[theresa.kubes@lesueurcounty.gov](mailto:theresa.kubes@lesueurcounty.gov)

## 7. Complaint Notification Procedure:

- A. Civil rights complaints **must** be submitted to the Title VI and Civil Rights Coordinator within 180 days of the date the alleged discrimination occurred.
- B. A complaint **must** be in writing and contain the name and address of the person filing it.
  - a. Use Attachment A in the Appendix – Complaint Form
  - b. Provide a telephone number or relay service number if deaf or hard of hearing.
  - c. Provide an email address if it helps get in touch with the complainant.
  - d. The complaint **must** state the problem or action alleged and the relief

desired. If you need assistance with your complaint, the Civil Rights Contact will help you.

- C. Le Sueur County **must** conduct an investigation of the complaint. The Title VI and Civil Rights Coordinator will conduct the investigation. The investigation may be informal, but it **must** be thorough and timely. People who have an interest in the complaint **must** have an opportunity to submit relevant information about the complaint. The investigation shall include interviews with individuals involved in the complaint and review of all relevant documents. If more information is needed to clarify or resolve the claim, the County will contact the complainant in writing at the address provided on the complaint form. Le Sueur County will make every effort to issue a written decision on the complaint within 120 days after its filing and shall notify the complainant of its decision. A case can also be administratively closed if the complainant no longer wishes to pursue their claim.

If the Complainant does not agree with the decision following the investigation, the Complainant is entitled to an appeal as addressed below. Le Sueur County will maintain the complaint records and files for three years from the date of the decision.

It is against the law for anyone who works for Le Sueur County to retaliate against a person who files a complaint or who cooperates in the investigation of a civil rights complaint.

- a) County agencies are not permitted to investigate civil rights complaints in the Supplemental Nutrition Assistance Program (SNAP) because counties directly administer SNAP benefits. County agencies must refer SNAP civil rights complaints to DHS or the USDA regional office in Chicago. The USDA regional address is:

Civil Rights Director Midwest Regional Office  
USDA/Food and Nutrition Service  
77 W. Jackson Blvd., 20th Floor  
Chicago, IL 60604-3591  
(312) 353-6657 (voice) or use your preferred relay service  
[tamara.earley@fns.usda.gov](mailto:tamara.earley@fns.usda.gov)

- b) Complaints received by the Le Sueur County Title VI Coordinator on behalf of the Le Sueur County Highway Department are forwarded to the MnDOT Office of Civil Rights (OCR). MnDOT OCR will forward the complaint to the FHWA Minnesota Division Office, along with a preliminary processing recommendation. The FHWA Minnesota Division Office will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR). FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. Complaints are not investigated by Le Sueur County. FHWA HCR is responsible for investigating all complaints. FHWA HCR may also delegate the investigation to MnDOT OCR, who would then conduct all data requests,

interviews, and analysis and create a Report of Investigation (ROI). MnDOT OCR will have sixty (60) business days from the date the investigation is delegated to prepare the ROI and send it to HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964.

- D. The Complainant may appeal the Agency's decision by writing to the agency's Title VI and Civil Rights Coordinator within 15 days of receiving the written decision. The County Board will designate a neutral hearing officer to conduct the appeal. The assigned hearing officer will issue a written decision in response to the appeal, no later than 30 days after the filing. The County's administrative complaint procedures contained in this Plan do not deny the rights of the Complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination.
- E. The Complainant must be informed that they can file a discrimination complaint **directly** with the Federal agency that provides federal financial assistance to the County for the program or service for which the Complainant was working with. The Title VI and Civil Rights Coordinator will provide that information to the Complainant. If that information is not provided, the Complainant may file their complaint with the

U.S. Department of Justice Civil Rights Division  
950 Pennsylvania Ave. NW  
Washington, D.C. 20530

**Highway Department Complaints:**

Federal Highway Administration  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Avenue, SE  
8th Floor E81-105  
Washington, DC 20590  
Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)

**Human Services Department Complaints:**

U.S. Department of Health and Human Services  
Office for Civil Rights, Region V  
233 North Michigan Avenue, Suite 240  
Chicago, IL 60601  
312-886-2359 (voice)  
800-368-1019 (toll free)

800-537-7697 (TTY)

F. Filing Complaints with State Agencies:

The person filing the complaint **must** also be informed that he/she can file a discrimination complaint **directly** with the Minnesota Department of Human Rights or the Minnesota Department of Transportation Office of Civil Rights (Highway).

- (a) The Minnesota Department of Human Rights prohibits discrimination in public services programs because of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status. Contact the Minnesota Department of Human Rights or Minnesota Department of Transportation directly:

Minnesota Department of Human Rights  
Freeman Building, 625 North Robert Street  
St. Paul, MN 55155  
651-539-1100 (voice)  
800-657-3704 (toll free)  
711 or 800-627-3529 (MN Relay)

**Highway Department Complaints:**

Minnesota Department of Transportation  
Office of Civil Rights  
385 John Ireland Blvd, Mail Stop 170  
St. Paul, MN 55105  
651-366-3073 (Voice)  
651-366-3129 (Fax)

**Human Services Department Complaints:**

Minnesota Department of Human Services  
Equal Opportunity and Access Division  
P.O. Box 64997  
St. Paul, MN 55164-0997  
651-431-3040 (voice) or use your preferred relay service

G. Arrangements for People with Disabilities:

- a. Le Sueur County **will** make appropriate arrangements to ensure that people with disabilities are provided reasonable modifications or effective communications, if needed, to participate in the complaint process. The Title VI and Civil Rights Coordinator or designee is responsible for making these arrangements.

Complainants filing disability complaints will use Le Sueur County's Title VI and Civil Rights complaint procedure as outlined above. Complainants

should contact the County's ADA Contact person identified in section 8 above. The complainant may also directly file a complaint with the ADA:

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
4CON, 9th Floor  
Washington, DC 20530 FAX: 202-307-1197

Or online at [www.civilrights.justice.gov/report](http://www.civilrights.justice.gov/report)

## **8. U.S. Department of Agriculture (USDA)**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, religious creed, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. The USDA, its Agencies, offices, and employees, and institutions are prohibited from discriminating against Supplemental Nutritional Assistance Program (SNAP) applicants based on race, sex, religious creed, national origin, or political affiliation. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 8778339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW Washington, D.C. 20250-9410

(2) Fax: (202) 690-7442; or

(3) Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

## **9. Environmental Justice**

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires federal agencies to make achieving environmental justice a part of its mission by identifying and addressing disproportionately high and adverse human health and environmental effects of their programs, policies, and activities on minority and low-income populations. The requirements are to be carried out to the greatest extent practicable and permitted by law.

In May 2012, USDOT issued an update to DOT Order 5610.2(a), DOT Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which was

originally published in April 1997. The revised Order continues to be a key component of DOT's environmental justice strategy. It updates and clarifies certain aspects of the original Order while maintaining its general framework and procedures and DOT's commitment to promote the principles of environmental justice in all DOT programs, policies, and activities.

Similarly, Le Sueur County Highway Department will institutionalize the same key components of DOT's environmental justice strategy and commitment to promote the principles of environmental justice in all Le Sueur County Highway Department's programs, policies, and activities. These policies outline actions and factors to address environmental justice in order to identify and avoid discrimination and disproportionality high and adverse effects on minority and low-income populations:

1. Identify and evaluate environmental, public health, and interrelated social and economic effects of Le Sueur County Highway Department programs, policies, and activities;
2. Propose measures to avoid, minimize, and/or mitigate disproportionately high and adverse environmental and public health effects and interrelated social and economic effects, and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by Le Sueur County Highway Department programs, policies, and activities, where permitted by law and consistent with Executive Order 12898;
3. Consider alternatives to proposed programs, policies, and activities where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts, consistent with Executive Order 12898; and
4. Elicit public involvement opportunities and consider the results thereof, including soliciting input from affected minority populations and low-income populations in considering alternatives.

Le Sueur County Highway Department supports environmental justice through every stage of the planning, construction and maintenance processes, consistent with the factors outlined above. This ensures Le Sueur County Highway Department gains input from the community that will help shape how Le Sueur County Highway Department builds and maintains roads, bridges, parks, and trails.

Some ways in which the Le Sueur County Highway Department accomplishes this include:

- Ensuring the full and fair participation by all potentially affected communities in the transportation decision-making process;
- Avoiding, minimizing or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- Providing timely information to area residents and businesses affected by transportation plans and projects;
- Performing periodic reviews of public involvement process to gauge effectiveness, making revisions as necessary; and
- Preventing the denial of, reduction in, or significant delay in the receipt of benefits by

minority and low-income populations.

#### **10. Public Participation**

Le Sueur County Highway Department public engagement consists of soliciting input for future construction projects and providing information on current projects. Outreach is conducted through the local newspaper, county newsletter, county website, County Board of Commissioner's meetings, public hearings, direct mailings to landowners, and public service announcements that are distributed to local news providers and posted on the county website. All public meetings and civic engagement opportunities are open to the public to participate and all input received is taken into consideration. Surveys collecting the race, color, national origin, low-income status, disability, age, and sex of participants of Le Sueur County Highway Department programs and activities will be collected when practical.

#### **11. Limited English Proficiency Plan**

**Le Sueur County's various departments have created tailored plans to ensure compliance with the Limited English Proficiency (LEP) requirements as set forth by Executive Order 13166. The Department plans incorporate local assessment that considers factors, including but not limited to: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the County; (2) The frequency with which LEP persons come into contact with County services; (3) The nature and importance of the county's services in people's lives; and (4) the resources available for the County departments to conduct LEP outreach, as well as costs associated with such outreach. The responsive plans are included as **Attachment C-D**). Le Sueur County Highway Department relies on MnDOT's LEP Data Tool to provide the necessary data.**

#### **12. Title VI and Civil Rights Assurance of Compliance**

The Le Sueur County Administrator and Chair of the County Board have signed the *Civil Rights Assurance of Compliance*. A copy is located in the Appendix; **Attachment B**.

#### **13. Title VI and Civil Rights Plan Administration**

Le Sueur County will:

- Post a copy of its Title VI and Civil Rights Plan at the reception desk on the first floor of the Le Sueur County Government Center where members of the public can review it.
- Post the Title VI and Civil Rights Plan on the County's public website at [www.co.le-sueur.mn.us](http://www.co.le-sueur.mn.us).
- Title VI information is incorporated into contracts for bid. Currently, the Le Sueur County Highway Department has not identified specific vital documents requiring translation.
- Review the Title VI and Civil Rights Plan with appropriate staff at regular intervals, in compliance with federal guidance and regulations.

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## Attachment A

### Le Sueur County Title VI and Civil Rights Complaint Form FILE WITH Title VI & Civil Rights Coordinator

#### Client Information:

Name: _____
Address: _____
Telephone number(s): _____
Name, Address and Telephone number of someone who will know how to reach you (optional) _____

#### Agency Information

Agency: _____
Person in Agency (if known): _____
Agency Address: _____
Agency Telephone: _____

#### Information about Discrimination Complaint (check as many as apply):

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Sex	<input type="checkbox"/> Creed	<input type="checkbox"/> Religion
<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Public Assistance Status	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Political Beliefs	
If you filed this complaint with any other agency, please give the name, address and telephone number of the agency and the name of the investigator assigned to the case: _____					

#### Details of Discrimination Claim:

Explain what happened to you and please include the following points: 1) Explain why you believe you were treated differently; 2) Explain how you were treated differently from other people; 3) Give the date(s) of the incident(s) 4) Give the name(s) of the people who were directly involved; 5) If there were any witnesses, give their names(s) and explain what they saw or heard.
If you need more space, attach additional pages: _____

Privacy notice: Le Sueur County is asking you to provide information in this complaint form which includes private and/or confidential information under the Minnesota Government Data Practices Act. This private/confidential information is being requested so that all allegations of discrimination can be investigated and addressed properly. You are not legally required to provide this information. However, if you do not provide sufficient information, your complaint may not be able to be adequately investigated. The information you provide will be used by Le Sueur County Departments, Minnesota Department of Transportation and Federal Highway Administration employees whose job assignments reasonably require access to the information. The following also have a legal right to access the information: exclusive representative for any MnDOT or Le Sueur County employee who becomes the subject of investigation in connection with your complaint; the arbitrator if discipline imposed on any such employee is appealed to arbitration; the MN Attorney General's Office; the MN Legislative Auditor's Office; law enforcement agencies and prosecutorial authorities; persons/entities named pursuant to court order; persons/entities whom you authorize; and any other person or entity authorized by state or federal law.	
Signature _____	Date _____

This information is available in accessible formats for individuals with disabilities by calling 507-357-8221 or by using your preferred relay service. For other information on disability rights and protections, contact the agency's ADA Coordinator. For translation of this document, contact the Title VI & Civil Rights Coordinator.

**SUBMIT COMPLETED FORM TO:**  
Contact: Civil Rights Coordinator  
507-357-8221 (voice)  
507-357-8610 (fax)

## **Attachment B**

### **TITLE VI & CIVIL RIGHTS ASSURANCE OF COMPLIANCE NONDISCRIMINATION IN STATE AND COUNTY PROGRAMS**

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Le Sueur County, (HEREAFTER CALLED THE "COUNTY")

THE COUNTY provides this Title VI & Civil Rights Assurance of Compliance (hereafter called the "Assurance") in consideration of and for the purpose of obtaining any and all federal financial assistance from the United States Government. The County agrees that compliance with this Assurance is a condition of continued receipt of federal financial assistance and that it is binding upon the County directly or through contract, license, or other provider of services, as long as it receives federal or state financial assistance; and shall be submitted upon request to the designated Agency.

THE COUNTY ASSURES that it will comply with:

Title VI of the Civil Rights Act of 1964, as amended; Age Discrimination Act of 1975, 42 U.S.C. 6101, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Section 508 of the Rehabilitation Act of 1973, as amended; Title II of the Americans with Disabilities Act of 1990 and all accompanying federal laws, regulations and directives.

PURSUANT TO THE TITLE VI & CIVIL RIGHTS PLAN, by accepting this Assurance, the County agrees to allow access, by authorized personnel, during normal working hours, to private and/or confidential data maintained by the County (or other sub-recipient of federal financial assistance) to the extent necessary to conduct a full and complete investigation into any complaint of discrimination, including to compile data, maintain records and submit reports as required to determine compliance with the above mentioned laws, rules and regulations. No private and/or confidential data collected, maintained or used in the course of an investigation shall be disseminated except as authorized by statute, either during the period of the investigation or after it has been concluded.

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THE PERSON WHOSE SIGNATURE APPEARS BELOW is authorized to sign this Assurance and commit the County to its terms.

12/31/24  
Date

  
Steven Rohlfing, Chair  
Le Sueur County Board of Commissioners

12-31-24  
Date

  
Joe Martin  
Le Sueur County Administrator

I CERTIFY that the signatory for the County has lawful authority to bind the County to the terms of this Title VI Assurance.

12-31-24  
Date

  
Brent Christian  
Le Sueur County Attorney

## Attachment C

### Limited English Proficiency (LEP) & Language Access – Highway Department

#### Legal Background

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121, August 16, 2000, directs each Federal agency to examine the services it provides and to develop and implement a system by which LEP individuals can meaningfully access those services. Federal agencies were instructed to publish guidance to assist states and local governments who receive federal funds with their obligations to LEP individuals under Title VI. The Executive Order states that federal fund recipients, like Le Sueur County Highway Department, must take reasonable steps to ensure meaningful access to their programs and activities for LEP individuals.

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides that no person 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." Courts have interpreted Title VI's prohibition of discrimination on the basis of national origin to include discrimination based on English proficiency. Under Title VI, recipients of federal financial assistance are required to provide LEP individuals with meaningful access to their programs and services.

The U.S. Department of Transportation (DOT) published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that U.S. DOT recipients take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for LEP individuals. Recipients use the DOT LEP Guidance to determine how best to comply with statutory and regulatory LEP obligations.

#### Identifying Limited English Proficient Populations (Four-Factor Analysis)

Title VI and its regulations require Le Sueur County Highway Department to take reasonable steps to ensure meaningful access to its information and services. What constitutes reasonable steps to ensure meaningful access is flexible, fact-dependent, and contingent on a four-factor analysis established by the U.S. Department of Justice. The four-factor analysis is an individualized assessment that should be applied to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals. The analysis below is updated at least once every five years.

#### **FACTOR #1: THE NUMBER OR PROPORTION OF LEP INDIVIDUALS ELIGIBLE TO BE SERVED OR LIKELY TO BE ENCOUNTERED**

The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population, the more likely language assistance services are necessary. Ordinarily, "individuals eligible to be served or likely to be encountered" by a program or activity are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes people who are in the program's geographic area.

Le Sueur County Highway Department should first examine their prior experiences with LEP individuals and determine the breadth and scope of language assistance services needed. It is also important to include LEP populations that are eligible beneficiaries of programs, activities, or services but may be

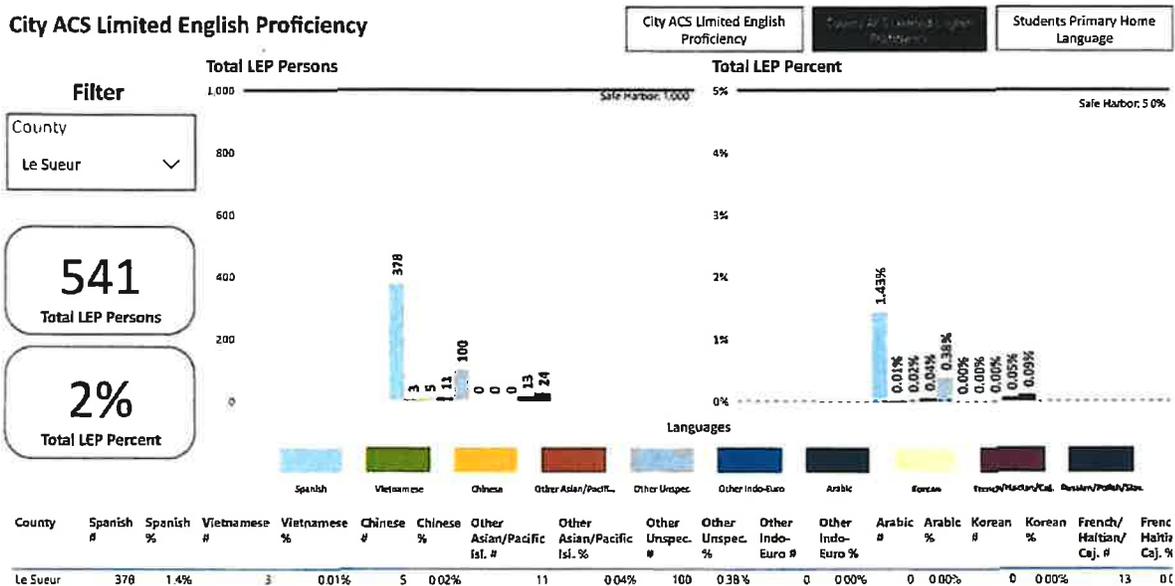
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underserved because of existing language barriers.

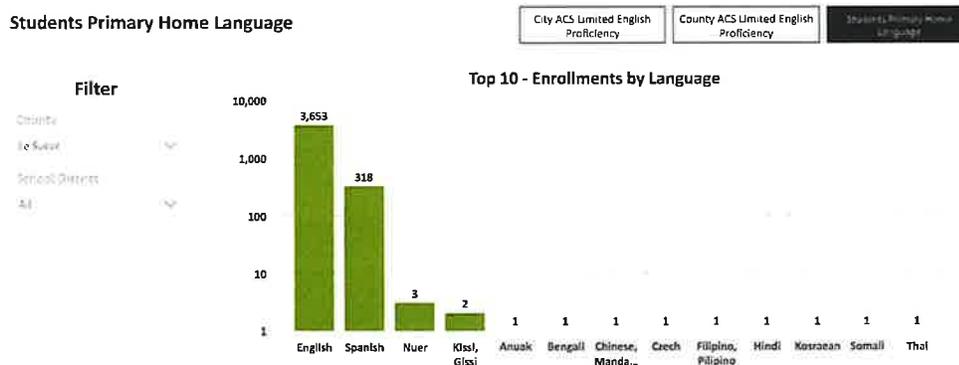
Generally, Le Sueur County Highway Department will use reliable external data sources to determine the number or proportion of LEP individuals likely to be served or encountered.

Le Sueur County Highway Department relies on [MnDOT's LEP Data Tool](#) to provide the necessary data. In the most recent analysis conducted in February 2023, the findings on the next two pages were documented

**American Community Survey (5-Year Estimate 2015-2019, Table ID C16001)**



**Minnesota Department of Education: Primary Home Language for Students**



**Safe Harbor Provision (Written Documents)**

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether Le

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Sueur County Highway Department is meeting its obligation to provide written translations. These safe harbor provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

The following actions are considered strong evidence of compliance with the Department's written-translation obligations:

(a) Providing written translations of vital documents for **each eligible LEP language group that constitutes 5% or 1,000 people** of the population of individuals eligible to be served or likely to be affected or encountered. Translation of non-vital documents, if needed, can be provided orally; or

(b) If there are fewer than 50 individuals in a language group that reaches the 5% trigger in (a), the vital written materials are not translated, but written notice of the right to receive free, competent oral interpretation of those vital written materials in the primary language of the LEP language group of is provided.

**The above findings from the graphs on the preceding pages did not indicate any LEP language groups meet the safe harbor threshold.** Therefore, Le Sueur County Highway Department will not proactively translate written documents at this time. However, efforts will be made to reasonably accommodate any language access requests that arise.

## **FACTOR #2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME IN CONTACT WITH THE PROGRAM, ACTIVITY, OR SERVICE**

Le Sueur County Highway Department should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance. If LEP individuals access a program or service on a regular, consistent basis, then that program or service provider has greater language access duties than a program or service whose contact with LEP individuals is unpredictable or infrequent.

However, even if there are infrequent or unpredictable interactions with LEP individuals, Le Sueur County Highway Department must be prepared to provide language assistance services to LEP individuals.

In applying this factor Le Sueur County Highway Department should also consider whether outreach to LEP individuals could increase the frequency of contact with LEP language groups and remain mindful of the data analysis conducted under Factor #1 to identify the proportion of LEP population present in the service area.

LEP persons may interact in several ways with Le Sueur County Highway Department, including but not limited to:

- Public meetings
- Community events
- Project-specific meetings, events, and discussions
- Online engagement
- Walk-in requests for information
- Phone communications

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- Customer service interactions
- Surveys for information
- Requests for permits, licenses, or materials
- Real estate transactions (i.e., right of way)

**In its most recent review conducted in February 2023, Le Sueur County Highway Department noted it has not had interactions with LEP language groups in the past 5 years.**

Le Sueur County Highway Department will assess, as accurately as possible over the next 5-year period, the frequency with which LEP persons from different language groups come into contact with Le Sueur County Highway Department programs and activities.

### **FACTOR #3: THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY, OR SERVICE TO PEOPLE'S LIVES**

The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the greater the need for language assistance services. Le Sueur County Highway Department must determine whether denial or delay of access to services or information could have serious implications for the LEP individual. Generally, programs providing information and services related to accessing benefits, opportunities, or rights are considered high importance.

Le Sueur County Highway Department generally does not provide services that would have serious consequences or implications for any LEP individual if they were delayed. Interactions with the public, such as right of way acquisition, notices, public hearings, and permitting programs, all allow time in the process which would allow a LEP individual the opportunity to be provided any necessary translation services without serious implications.

#### **Vital Documents**

As part of its analysis, a district, office, or program may determine that necessary language assistance measures include the translation of vital documents into the language of each LEP group that is frequently encountered, eligible to be served, or likely to be affected. Vital documents are paper or electronic written material containing information that is (1) critical for accessing programs, services, benefits, or activities, (2) directly and substantially related to public safety, or (3) required by law. Whether a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is neither accurate nor timely.

Examples of vital documents in the U.S. DOT LEP Guidance include:

- Emergency transportation information
- Notices of public hearings regarding proposed transportation plans or projects
- Notices advising LEP individuals of free language assistance
- Applications or instructions on how to participate in a program or activity or receive benefits or services
- Consent forms

Sometimes a large document may include both vital and non-vital information. For these documents, vital information may include providing notice in the necessary non-English languages explaining where

an LEP individual can obtain an interpretation or translation of the document.

**Because no languages were identified as meeting the safe harbor threshold for translating vital written materials, Le Sueur County Highway Department is not at this time providing a list of documents considered vital. Should future analysis indicate an LEP group meeting the safe harbor threshold, Le Sueur County Highway Department will evaluate its vital documents and provide translations in accordance with the analysis and federal guidance.**

#### **FACTOR #4: THE RESOURCES AVAILABLE TO Le Sueur County Highway Department AND THE COST OF LANGUAGE ASSISTANCE**

The resources available to Le Sueur County Highway Department and the costs of providing language assistance services may impact the steps taken to provide meaningful access to LEP individuals. Additionally, reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits. Le Sueur County Highway Department will determine on a case-by-case basis whether language assistance costs outweigh the benefits.

The four-factor analysis necessarily implicates a spectrum of language assistance measures. For instance, written translations can range from translation of an entire document to translation of a short description of the document, and interpretation services may range from using telephone-based interpretation services to providing in-person interpretation at a public event. Language assistance measures should be based on what is necessary and reasonable after considering the four-factor analysis. Le Sueur Highway Department will proactively identify how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals.

#### **Language Services**

There are two types of language services:

- Translation is the replacement of a word, phrase, or text in one language (source language) with an equivalent-meaning word, phrase, or text in another language (target language). This is written language assistance.
- Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. This is oral language assistance.

Currently, Le Sueur County Highway Department has the following language services available:

- Language Line: Provides telephone-based, on-demand access to language interpreters 24 hours a day, 7 days a week, year-round. The service assists staff in communicating effectively with LEP individuals. 1-800-367-9559, Client ID 509052
- Google Translate: <https://translate.google.com> will be used when possible.

## Attachment D

### Limited English Proficiency (LEP) & Language Access – Human Services Department

#### A. PURPOSE AND LEGAL BASIS

The purpose of this limited English proficiency plan is to ensure meaningful access to program information and services for persons with limited English language proficiency. The legal basis for this plan comes from Title VI of the Civil Rights Act of 1964. The plan implements the Title VI language access responsibilities of human service providers receiving federal financial assistance from the U.S. Department of Health and Human Services.

#### B. WRITTEN PLAN

##### 1. Persons covered by Policy Identifying Clients with Limited English Proficiency

LSCHS limited English proficiency plans has been developed to serve its clients, prospective clients, family members of clients of prospective clients, or other interested members of the public (hereafter call “clients”) who do not speak English or who speak limited English.

A client has limited English language proficiency (LEP) when he/she is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with LSCHS staff. Sometimes it is not this easy to identify a person with LEP. Some clients may know enough English to manage basic life skills, but may not speak, read or understand English well enough to understand in a meaningful way some of the more complicated concepts they encounter within the human services systems (i.e. legal, medical or program language). These clients may also fit the description of a person with LEP.

##### 2. Statement of Commitment to Meaningful Access

No person will be denied access to Le Sueur County Human Services programs or program information because he/she does not speak English or speaks limited English. Le Sueur County Human Services will provide for effective communication between clients with LEP and LSCH staff by making appropriate language assistance services available when clients need these services. Clients will be provided with meaningful access to programs and services in a timely manner and at no cost to the client.

##### 3. Offering Language Assistant Services

Staff will initiate an offer for language assistance to clients who have difficulty communicating in English, or when a client asks for language assistance. Whenever possible, staff are encouraged to follow the clients’ preferences. For example, if a client wants a family member or friend to interpret rather than an LSCHS provided interpreter, staff should allow this if doing so will not violate the client’s data privacy rights and the friend/family member can demonstrate that he/she is competent to interpret. Staff must offer free interpretation and/or translation services to persons with LEP in a language they understand, in a way that preserve confidentiality, and in a timely manner. (See rule for using family and friends as interpreters on pages 7 and 8).

##### 4. Uncommon Languages; In-Person Interpreter Services

When interpreter services are needed in a language not commonly used, the client with LEP will be connected to the Language Line, which is a telephone interpretation service LSCHS contracts with.

If an interpreter is needed in-person, rather than over the telephone, arrangements will be made to have an interpreter available at the time and place that is convenient for both the interpreter and the client. Arrangements for in-person interpreting should be made by contacting our bilingual staff person or Income Maintenance Office Support Specialist for an updated list of vendors.

### **5. Emergency Situations**

When programs require access to services within short time frames, LSCHS will take whatever steps necessary to ensure that all clients with LEP, have access to services within the appropriate time frames. For example, when a client needs an interpreter or other language assistance services to obtain expedited program services, LSCHS's goal is to make the services accessible within the required time frame, whether that means using a bilingual staff person, interpreter or any other appropriate type of language assistance.

### **6. Interpretation and Translation Defined**

For purposes of this plan, interpretation is defined as a spoken or visual explanation provided to help two or more people who do not speak the same language to communicate with each other. Translation is defined as a written version of a document provided in a different language than the original document.

### **7. Assisting Clients That Do Not Read Their Language**

LSCHS staff must assist a client with LEP who does not read his/her primary language to the same extent as staff would assist an English speaker who does not read English.

### **8. Assigning Clients with LEP to Bilingual Staff**

Where applicable, and as a program practice, LSCHS will use its best efforts to assign clients with LEP to bilingual staff who speak their language.

## **C. PROCEDURE FOR USING INTERPRETATION**

### **1. Verification of Client's Identity**

LSCHS staff should continue the existing practice of verifying the identity of the client before releasing case-specific information. Bilingual staff, Language Line staff, or other private companies providing interpretation or translation services through contracts with the State (hereafter "contractors"), may be used in making verifications.

### **2. Language Assistance Resources – Order of Preference for Use**

As much as possible, staff should use these language assistance services in order set out below.

**a) Bilingual Staff** - Bilingual staff available to serve as interpreters are listed below. This list is also available in the LSCHS Employee Directory. Bilingual staff listed speak Spanish. LSCHS staff should use this list to connect bilingual staff to clients with LEP for the purpose of providing interpreter assistance. These bilingual staff members are considered competent to provide interpreter assistance. They have been screened for competency and trained in ethics, interpreter skills, and standard program terminology.

- Maria Aguilar 507-357-8130

**b) Telephone Interpreter Services** – Staff should use the Language Line Services for

interpreter assistance when bilingual staff are not available or when the language is one not commonly encountered at LSCHS.

The Language Line telephone number is 1-800-444-2222. The LSCHS ID number is 807116 and each division must know their access code.

LSCHS staff should familiarize themselves with the Language Line before they actually need to use it. Being familiar with how to use this service will help staff act quickly when clients need interpreter assistance.

- c) Using Family and/or Friends as Interpreters** – Staff are asked to accommodate clients' wishes to have family or friends serve as interpreters whenever possible. However, staff must keep in mind both client confidentiality and interpreter competency and should also follow the rules set out below.

LSCHS may expose itself to liability under Title VI if it requires, suggests, or encourages a client with LEP to use friends, minor children, or family members as interpreters because family, friends, or minor children may not be competent to serve as interpreters.

Use of family or friends could result in a breach of confidentiality or reluctance on the part of clients to reveal personal information critical to their situations. Family and friends may not be competent to act as interpreters because they may not be proficient enough in both languages, may lack training in interpretation, and/or have little familiarity with specialized program terminology.

If a client still prefers a family member or friend to interpret after LSCHS offers free interpreter services, LSCHS may use the family member or friend if doing so will not compromise the effectiveness of the interpretation and/or violate the clients' confidentiality. LSCHS staff should document in the client's case file their offer of interpreter assistance and the fact that the client declined the offer. Even if a client elects to use a family member or friend as an interpreter, LSCHS staff should suggest that a trained interpreter listen in on the interview to ensure accurate interpretation.

LSCHS bilingual staff or contracted interpreters should be used in circumstances when a client is giving information they may negatively impact his/her eligibility for services – e.g. deadlines or certifications. Bilingual staff or contracted interpreters should also be preferred in situations where a client must answer complicated or detailed questions about his/her case. These interpretations may also be handled by family or friend, but should also be referred to LSCHS bilingual staff, Language Line staff, or contractors for follow-up calls or letters.

LSCHS staff must consider the requirements of the Minnesota Data Practices Act when determining whether or not, or in what capacity, a family member or friend may be used to interpret.

- d) Rule for Minor Children** – LSCHS staff should never use minor children as interpreters.

### **3. MINNESOTA DATA PRACTICES ACT**

Minnesota Data Practices Act requires Minnesota government agencies to maintain the privacy

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of data that they collect in the course of their business. In the case of LSCHS, the information that it collects regarding its clients is considered private data. Except in emergencies, this data may not be released to anyone other than the client, LSCHS employees, the agents of LSCHS, or others authorized by the courts or federal law, without the client's written and informed consent.

For purposes of the Data Practices Act, organizations and persons who contract to provide translation and interpretation services to LSCHS clients are considered agents of LSCHS. They may be privy to LSCHS clients' private data and are bound by the same requirements for confidentiality, as are LSCHS employees.

#### **4. COMPETENCY OF INTERPRETERS**

LSCHS will make sure that interpreters, whether bilingual staff or professional interpreters, have been trained and demonstrate competency. To be competent to provide interpreter services, the interpreter must be proficient in both English and the target language and be able to convey information in both languages accurately, have had orientation/training that includes the skills and ethics of interpreting, have basic knowledge in both languages of specialized program terms or concepts, and be sensitive to the client's culture.

#### **D. NOTICE OF RIGHTS TO LANGUAGE ASSISTANCE**

LSCHS staff must inform all clients with LEP of the public's right to free interpreter services that these services must be provided in a timely manner and must be available during LSCHS business hours. Staff must also hand out fliers stating the same to all clients with LEP.

LSCHS will use "I Speak" cards to help clients with LEP be able to identify their language needs for staff. LSCHS will also use "I Speak" posters in the agency to help staff inform clients that language interpreters are available at no cost to the client.

#### **E. PROCEDURE FOR USING/DISTRIBUTING TRANSLATED FORMS**

LSCHS stocks a number of documents and forms which are available in languages other than English. Currently the full list will be regularly reviewed and then incorporated into the LEP Plan.

LSCHS staff with access to MAXIS can retrieve another list of LSCHS translated documents/forms found in POLI/TEMP Manual at TE12.01.13. Staff who do not have access to MAXIS can obtain this list by contacting the LEP plan contact person.

Additionally, the Health Care Application Form, the Renewal Form, and the Household Report Form have been translated into Spanish, Russian, Somali, Hmong, Cambodian, Lao, Vietnamese, and Arabic. The English translated versions are all available on the LSCHS website at [www.dhs.state.mn.us/forms](http://www.dhs.state.mn.us/forms).

Regularly used LSCHS forms will be made available in translated form by posting them in a central location in the LSCHS lobby at 88 South Park Ave, Le Center, MN 56057. At the appropriate times, LSCHS must send clients the preferred translated forms automatically when the same forms are sent to the clients automatically in English.

#### **F. TRANSLATION PLAN**

LSCHS will translate vital documents and information contained in its documents – and materials in alternate formats – into the non-English languages of those language groups when a significant

number of percentage of the population eligible to be served or likely to be directly affected by LSCHS programs needs services or information in a language other than English to communicate effectively. LSCHS has determined that the significant number that will trigger translation is 1000 individuals within an LEP language group.

In addition to the documents and forms it has already translated, LSCHS will annually review additional vital documents that require translating.

#### **G. LEP TRAINING FOR LSCHS STAFF**

LSCHS will distribute the LEP plan to all new employees so they can learn the policies and procedures required making language assistance available to clients with LEP. All staff with ongoing client contact are required to attend LEP training at a minimum annually.

LEP training will include information on the following topics: LSCHS legal obligation to provide language assistance to clients with LEP; substance of LSCHS LEP plan including its policies and procedures to access language assistance services; tips on working with interpreters and how to properly document information about a client's language needs in the client's case file.

#### **H. MONITORING OF THE LEP PLAN**

Beginning in January each year. LSCHS will conduct an evaluation of its LEP plan to determine its overall effectiveness. The evaluation will consider what is working and what is not and make adjustments to the LEP plan accordingly. The evaluation will also determine whether the new languages will be added for translation and whether existing languages will be dropped. LSCHS's LEP Manager will lead the annual evaluation activities with the help of a team of staff familiar with the LEP plan and how it functions.

LSCHS's annual evaluation of its LEP plan will include the following activities:

- Assessment of the numbers of persons with LEP in the service delivery area
- Assessment of the current language needs of clients with LEP to determine whether clients need an interpreter and/or translated materials to communicate effectively with staff; updating files which lack information about a client's language needs; and confirming information with clients about their language preference at rectification.
- Determining if existing language assistance services are meeting the needs of clients with LEP.
- Assessing whether staff members understand LSCHS's LEP policies and procedures, how to carry them out and whether language assistance resources and arrangements for those resources are still current and accessible.
- Seeking and getting feedback from LEP communities, including clients and community organizations and advocacy groups working with LEP communities, about the effectiveness of LSCHS's LEP plan.

#### **I. LEP Plan Posted for Public Review**

The LEP plan will be posted for public review in the LSCHS lobby on the bulletin board to the right of the Information Desk. The LEP plan will be available in English, but bilingual staff or interpreters will be available to translate the plan for those who do not speak English who wish to read it. The words "Limited English Proficiency Plan" in all appropriate languages, will be posted next to the LEP plan so clients with LEP know that such a plan exists and that they can get help to read it.

#### **J. DISTRIBUTION OF LEP PLAN**

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Immediately upon its completion, the LSCHS LEP plan will be distributed to all LSCHS staff.

**K. RESPONSIBLE AUTHORITY/COMPLAINT PROCESS – CONTACT PERSON**

Each LSCHS unit is responsible for implementing this LEP plan in their area. The person designated to provide technical assistance and respond to inquiries and complaints from the public is listed below. LSCHS has an existing complaint resolution procedure used to resolve civil rights related disputes and complaints and this procedure will be used to resolve LEP-related disputes/complaints. The contact person listed below will provide information about this complaint procedure to all clients in a language they understand.

**Jamie Hayes**  
**Human Services Director**  
88 S. Park Ave  
Le Center, MN 56057  
(507) 357-8515 (Voice)  
(507) 357-6122 (Fax)  
(507) 357-8307 (TTY)  
jamie.hayes@lesueurcounty.gov