

DELAWARE COUNTY TRANSIT BOARD



TITLE VI POLICY / PROGRAM

September 2020

Board Approved September 16, 2020

Policy/Procedure Name	Number	Effective Date	Last Revision Date
TITLE VI PROGRAM/ POLICY	20-09-04	8/20/14	10/1/20

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PURPOSE

Title VI of the Civil Rights Act of 1964 (Title VI) is a federal statute and provides that no person shall, on the grounds 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.

Title VI prohibits recipients of federal financial assistance from discriminating on the basis of race, color, or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.

As a transit provider, DCTB receives federal financial assistance through the Federal Transit Administration (FTA). As such, DCTB is subject to U.S. Department of Transportation (DOT) Title VI

regulations (49 CFR Part 21). This Title VI Program incorporates revised requirements effective October 1, 2012 described in FTA's Title VI Circular 4702.1 B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients."

POLICY STATEMENT

It is DCTB's policy to prepare, maintain and update its Title VI Program in accordance with FTA and DOT guidelines. DCTB is committed to ensuring that transit programs and activities comply with Title VI, and has established this program in order to:

Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;

Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;

Ensure meaningful access to transit-related programs and activities by persons with Limited English Proficiency (LEP).

TITLE VI ASSURANCES

FTA requires that every application for financial assistance is accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. DCTB provides this assurance annually in order to receive FTA funding.

PREPARATION AND SUBMISSION OF TITLE VI PROGRAM

The FTA requires that Title VI Programs receive approval from the transit provider's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. DCT will submit its Title VI Program to its board of directors for approval. Following board approval, DCT will submit the program to the FTA Region V civil rights officer every three years, or as directed by FTA. A copy of the Delaware County Transit Board resolution to approve the Title VI program is included as Appendix A

TRANSPORTATION SERVICE PROVIDED

DCT is a transit provider that operates demand response services. DCT operates ten demand response vehicles during peak times. DCTB does not meet the compliance threshold established by FTA for transit providers that operate 50 or more fixed route vehicles in peak service and are located in a UZA of 200,000 or more in population.

NOTICE TO BENEFICIARIES UNDER TITLE VI

FTA requires recipients to provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. DCT posts its Title VI notice on its website, at www.DelCoTransit.com and on all transit vehicles. See Appendix B.

TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM

FTA requires recipients to develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. FTA requires recipients to develop a Title VI complaint form, and to make available on its website the form and procedure for filing a complaint. DCT posts its Title VI complaint procedure and complaint form on its website, at www.delcotransit.com, and all buses. A copy of the procedure and the complaint form are attached. See Appendix C.

TITLE VI INVESTIGATIONS – COMPLAINTS AND LAWSUITS

FTA requires recipients to prepare and maintain a list of any active investigations conducted by entities other than the FTA, lawsuits, or complaints naming the recipient that allege discrimination on the basis of race, color, or national origin. This list must include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint.

DCTB has a designated Title VI Coordinator. The Title VI Coordinator receives the complaints, logs them, and attempts to resolve the issues. If the complainant is not satisfied after reconsideration, he/she may appeal to the U.S. Department of Transportation or the Federal Transit Administration.

DCTB has had no Title VI investigations, lawsuits, or complaints naming the applicant, which alleges discrimination on the basis of race, color, or national origin with respect to service or other transit benefits.

PROMOTING INCLUSIVE PUBLIC PARTICIPATION

FTA requires recipients to integrate the content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance into its established public participation plan or process.

DCTB has developed a public participation plan for all service and fare changes, Title VI Program, The Disadvantaged Business Enterprise Program, and the Program of Projects as required by the FTA.

The public participation plan is included in Appendix D

PROVIDING MEANINGFUL ACCESS TO LEP PERSONS

FTA requires recipients to take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). The LEP Program is included in Appendix E

PROVIDING ASSISTANCE TO SUB-RECIPIENTS

FTA requires recipients who extend Federal financial assistance to any other recipient to assist and monitor the sub-recipient's efforts to carry out its obligations under this part.

DCTB does not extend Federal financial assistance to any other recipient.

DETERMINATION OF SITE OR LOCATION OF FACILITIES

FTA requires recipients to ensure it does not select site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of Title VI objectives. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operation centers. Facilities do not include bus shelters, transit stations, power substations.

DCTB has not constructed facilities during this reporting period that meet the FTA's definition nor displaced persons from their residences or businesses.

SERVICE AMENITIES

The DCTB strives to make DCT services as safe and convenient as possible. To accomplish this, The DCTB has established the following standard amenities:

1. Community Amenities
 - a. For transfers between DCT services and/or other transit system services, when possible DCT will establish coordinated transfer points that allow for continued travel of passengers. DCT will attempt to locate transfer points at areas of an existing businesses or at a DCT shelter.
 - b. The DCTB may establish Park and Ride locations throughout Delaware County that will coordinate with DCT's demand response services. Locations that provide access for bicycle and pedestrian travel will be regarded as high priority locations.
2. On-Board Passenger Amenities

As technology and products develop, the DCTB will continually explore the possibilities of adding additional amenities for the passengers' convenience. Non-essential amenities will be included as long as it does not increase the cost of operations, does not interfere with the operations of the vehicle, is not disruptive to other passengers, and does not distract from the DCT image and branding.

APPENDIX LIST

- A. DCTB RESOLUTION APPROVING TITLE VI PROGRAM – #20-09-04
- B. TITLE VI NOTICES TO PUBLIC
- C. COMPLAINT FORM AND PROCEDURES
- D. PUBLIC PARTICIPATION PLAN

a. APPENDIX A

b. APPENDIX B

E. LEP PROGRAM

RESOLUTION 20-09-04

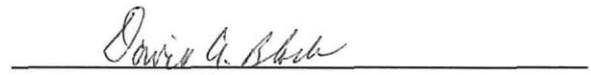
In the matter of approving a revised Title VI Civil Rights Program:

WHEREAS, the BOARD has approved a previous version of this policy through Resolution 17-07-05 and,

WHEREAS, revisions were necessary to update information and ensure compliance with FTA Regulations.

NOW THEREFORE BE IT RESOLVED that the BOARD moves to approve the revised Title VI Civil Rights Program.


Chairman


Secretary
Treasurer

APPENDIX B

NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI



DELAWARE COUNTY TRANSIT BOARD

- The Delaware County Transit Board (DCTB), operating the Delaware County Transit or DCT, operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the DCT.
- For more information on the DCTB's civil rights program, and the procedures to file a complaint, contact 740-363-3355, (TTY 711 or 1-800-750-0750); and ask for the Title VI Coordinator or visit our administrative office at 119 Henderson Ct., Delaware, Ohio 43015. For more information, visit www.delcotransit.com
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, contact 740-363-3355.

APPENDIX C

TITLE VI COMPLAINT FORM AND PROCEDURE

Any person who believes she or he has been discriminated against on the basis of race, color or national origin, by Delaware County Transit (hereinafter referred to as DCT) may file a Title VI complaint by completing and submitting this form. DCT investigates complaints received no more than 180 days after the alleged incident. DCT will process complaints that are **complete**.

Completed Forms can be mailed to:

Title VI Coordinator DCT
119 Henderson Ct.
Delaware, Ohio 43015

Once the form is received, DCT management will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgment letter informing him/her whether the complaint will be investigated by our office.

DCT has 30 business days to investigate the complaint. If more information is needed to resolve the case, DCT may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, DCT can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or letter of finding (LOF). A closure letter summarizes the allegations and states there was not a Title VI violation and that the case will be closed. A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training to staff, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.



TITLE VI COMPLAINT FORM

Name: _____

Address _____

_____ Phone _____

(Home/Cell) : _____ (Work) : _____

E-Mail Address:

Accessible Format Requirements? Please Circle all that apply

Large Print

TTY

Other _____

Are you filling out this complaint on your own behalf? Yes ___ No ___

If no, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

If yes, please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes _____ No _____

I believe that the discrimination that I (or complainant) experienced was based on (check all that apply):

___ Race ___ Color ___ National Origin

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you (or complainant) were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Have you previously filed a Title VI complaint with this agency?

___ Yes ___ No

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? **Yes** **No**

If yes, check all that apply:

- Federal Agency
- Federal Court
- State Court
- State Agency
- Local Agency

Please provide information for a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____ Agency: _____

Address: _____

Telephone: _____

Name of Agency complaint was/is against: _____

Contact Person: _____

Title: _____

Telephone: _____

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

Signature and date required below.

Signature: _____

Date: _____

Please submit in person at the address below, or mail this form to:
Delaware County Transit, Title VI Coordinator 119 Henderson Ct.
Delaware, Ohio 43015

APPENDIX D

Public Participation Plan

Plan Statement

Delaware County Transit (DCT) sets forth the following public involvement plan for the purpose of soliciting and receiving public input on public transportation planning and services. DCT seeks to allow all interested individuals the opportunity to comment on and to be actively engaged in the provision of transit through the public involvement process.

Intent

The public involvement guideline will be used for service and fare changes as outlined below:

- Fare changes that affect all categories of ridership (i.e., student, regular, senior, and disabled)
- Major increases or decreases in service. DCT defines a Major Service Change as a change in any route that 1) changes the number of service hours operated on any route by 25% or more, or, 2) changes the length of a route by 25% or more.
- Changes in service area of the transit system

The public involvement guideline will also be used for review of the Title VI program and the Disadvantaged Business Enterprise (DBE) Program.

Process:

1. When a Title VI Program review, Disadvantaged Business Enterprise review or a change in service is considered as outlined above, DCT will place a notice in the local newspaper, post notices in all transit vehicles and also post on the DCT website at www.delcotransit.com.
2. The notice will briefly describe the proposed changes or purpose of the review and will advise of the upcoming date(s) and time(s) for a public meeting for the purpose of soliciting comments. The notice will also include the address of the meeting and where public comments can be sent and a reasonable time period for receiving public comments.
3. A public hearing is held as announced in the published notice. Comments received will be considered in the final decision-making process. While the final plan may not be necessarily be changed based on the public participation process, significant consideration is given to comments made by the public and the proposed changes may very well be affected.
4. All the information, including proposed changes, public announcements, comments received, public hearing minutes, will be documented for reference and review as needed.

Participation Plan Guidelines

1. The public hearing notice for service and fare changes will be advertised 45 days before the scheduled change is to be implemented. Advertisements will appear at a minimum in the local newspaper, on DCT's website, and in all vehicles. Customers can also provide public comment to the administrative office by phone, mail or electronic communication, such as email.

2. When a Public Hearing is required, staff will be in attendance to discuss the proposed changes and to receive comments. Staff may also travel on vehicles for the purpose of receiving comments from customers.
3. Public hearings will typically be held at 11:00 am and 6:00 pm.
4. In the event that there are significant comments against the proposed change, DCT management will revisit the changes. A second round of public hearings may be required.

Participation Plan as it pertains to Limited English Proficiency:

General Methods

- Mobility managers, who answer DCT's phone scheduling lines, use a tracking system to log the number of requests by those with Limited English Proficiency (LEP) who request translation service, which languages are being requested and how the call was handled. Please see Appendix A.
- DCT will contact a language line service for callers requesting information that have Limited English Proficiency as needed.
- DCT will survey its' partner agencies, such as DJFS and SourcePoint, and the agency's Transit Advisory Committee yearly to help assess where LEP populations may exist and to help determine what transit needs the population they specify may have.
- DCT will review the LEP plan annually, in the last quarter of the year. Staff, including drivers, office staff, schedulers, dispatchers and mobility management staff will be trained on the LEP policy and procedures to ensure that any individuals with Limited English Proficiency attempting to utilize the transit agency will be served.

Published Materials: DCT will have new materials translated in other languages if a need is presented on survey responses and demographic data.

Participation Plan as it pertains to Minority and Low-Income

Individuals: Communication:

- DCT displays rights of Title VI notice to passengers on our website at www.delcotransit.com.
- DCT posts Title VI notices on buses and in bus shelters.
- DCT utilizes its' partner agencies who serve low income individuals to help distribute information regarding DCT services and service changes. For example, Department of Job and Family Services, People In Need of Delaware County, Community Action and Helpline of Delaware all display DCT service information, service brochures and flyers regarding pending changes.

Evaluating current service level:

- DCT Staff will survey riders in March and again in September to determine their ethnicity and income level.
- The survey response information will be compared with census data of the target populations to ensure service is available equally.

COMMITTEES

The Delaware County Transit Board currently has a Transit Advisory Committee that assists DCT with providing community information. The TAC is comprised of members of the

community representing passengers, local agencies that serve people with transportation needs, businesses and citizens at large. Please see Appendix B for the table showing the race of TAC members as compared to the county population.

DCT will continue to seek out and encourage members of various races to participate in the TAC and/or any future advisory committees

Appendix A

DATA BUS/DCT MOBILITY MANAGEMENT INTERACTION WITH LEP INDIVIDUALS LOG

Date	Language	Type of Service	How Resolved
1/3/2018	Limited English---possibly Jamaican	Demand Response	Slower communication, but able to understand
1/8/2018	Limited English—possibly Spanish	Demand Response	Communicate with daughter
1/12/2018	Limited English—possibly Chinese	Demand Response	Slower communication, but able to understand
1/26/2018	Limited English---Possibly Spanish	Demand Response	Communicate via daughter
1/29/2018	Limited English—possibly Eastern Indian	Demand Response	Communicate with family members/and limited questions with passenger, i.e. what time bus?
2/5/2018	Limited English—possibly Eastern Indian	Demand Response	Issue resolved-work with sons and JFS as well as passenger
3/13/2018	Limited English—possibly Eastern Indian	Demand Response	Communicate with sons/daughter
5/17/2018	Limited English—possibly Chinese	Demand Response	Communicate via daughter
7/5/2018	Limited English—possibly Eastern Indian	Demand Response	Issue Resolved—communicate via son
10/19/2018	Limited English—Possibly Eastern Indian	Demand Response	Communicate with son
11/6/2018	Limited English—Possibly Spanish	Demand Response	Communicate via daughter
12/3/2018	Limited English—Possibly Eastern Indian	Demand Response	Communication via daughter
1/28/2019	Limited English—possibly Eastern Indian	Demand Response	Primary communication with niece and care consultant. Able to understand short sentences, i.e. what time bus?

6/21/2019	Limited English—possibly Eastern Indian	Demand Response	Communicate via Care Consultant
9/6/2019	Limited English—possibly Eastern Indian	Demand Response	Much of communication comes thru JFS and sons.
9/24/19	Limited English-Spanish	DR and FR	Used our translation service
10/9/2019	Limited English—possibly Eastern Indian	Demand Response	Very slow enunciation
6/3/2020	Limited English-Spanish	FLEX	Used our translation service

Appendix B

BODY	CAUCASIAN	LATINO or HISPANIC	AFRICAN AMERICAN	ASIAN AMERICAN	NATIVE AMERICAN
Population	86.2%	2.8%	3.9%	7.6%	.2%
TAC	100%				

*Population estimates form [Census.gov/quick facts/delawarecountyohio](https://www.census.gov/quickfacts/delawarecountyohio)

APPENDIX E

Limited English Proficiency (LEP) Program

Purpose

To comply with the Federal Transit Administration’s requirements concerning recipients’ responsibilities to Limited English Proficient (LEP) person’s national origin discrimination in Title VI of the Civil Rights Act of 1964, as it affects limited English proficient persons.

Determining the Need

As a recipient of federal funding, DCT took reasonable steps to ensure meaningful access to the information and services it provides.

Population and Services Analysis

In determining “reasonable steps” four factors were considered:

1. The number and proportion of LEP persons in the eligible service area;
2. The frequency with which LEP persons come in contact with the program;
3. The ways to track changes in the program related to LEP individuals; and
4. The resources needed to make services accessible for LEP individuals.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered in our Delaware County, Ohio service area.

Language Spoken at Home	Total Population Estimate	Speak English Less than very well estimate	Percentage of County Population of those who speak English less than very well*
Spanish	3,028	762	0.37
Other Indo-European	6,911	1,781	0.86
Asian and Pacific Island	7,279	1,306	0.63
Other Languages	701	25	0.01

*Based on Delaware County 2018 Population: 205,091

Based on the most current census data the numbers of those who speak English less than well expected to be encountered in the Delaware County DCT service area is small.

2. The frequency with which LEP individuals come in contact with the program, activity or service.

DCT currently schedules all riders by phone or email. All riders come in contact with DCT’s Mobility Management Department. Mobility Management logs calls from those

riders who have Limited English Proficiency. Since May of 2019 Mobility Management has encountered 5 callers who demonstrated Limited English Proficiency.

The languages they encounter are: Chinese, Asian Indian (specific unknown) and Spanish.

No requests have been made for written information in another language by either individuals or groups in recent history of the service. Individuals who DCT has come in contact with who have limited English proficiency can communicate their needs with some difficulty. Family members are often the translators for these callers. More time and attention is required and taken for these callers.

3. The ways to track changes in the program related to LEP individuals

While the LEP population is small in comparison to the entire population of Delaware County, DCT acknowledges the importance of tracking LEP persons using our service and inquiring about our service. DCT uses a spreadsheet to track the numbers of individuals that need interpreters and will also track individuals needing literature in languages other than English. We have had only two riders who we have needed to call our language translation service for since we have obtained the use of a translation company in September of 2019. Both were Spanish speakers. DCT will also issue surveys to riders in March and September of each year to gather information on the rider's race and language. DCT will review the LEP plan regularly to ensure we are current with the demand.

4. The resources needed to make service available to LEP individuals

DCT currently states "materials available in alternative formats upon request" on its literature. DCT has obtained services of an oral translation service and will use any time it may be needed.

DCT includes charts with symbols such as library, hospital, and grocery store in all vehicles for individuals riding DCT services to ease communication between rider and driver. This cost is minimal.

Language Assistance Measures

Delaware County Transit currently receives relatively few calls from LEP Individuals and Delaware County as a whole doesn't have a large population of those who don't speak English "very well". Despite these facts, DCT understands that it has a duty to try to meet the needs of all residents coming in to and out of its service area. With this in mind DCT will take the following steps:

- Office staff at DCT will use language identification cards when they first encounter an LEP individual, if in person. These cards, developed by the U.S. Census Bureau, have the phrase "mark this box if you read or speak (name of language)" translated into 38 different languages. Cards can be found at <https://www.lep.gov/sites/lep/files/resources/ISpeakCards2004.pdf> The language identification cards will be made available at DCT offices, located at 119 Henderson Ct. Delaware, Ohio 43015.
- Mobility Managers will use DCT's translation service to assist callers with Limited English proficiency any time it is needed.
- DCT has a translation tool available on its website www.delcotransit.com.

- Key Documents such as brochures and paratransit applications will be made available in translated form based upon demand.
- DCT will supply drivers with pictographs with key locations for riders to easily identify places such as: hospital, library, grocery, school. DCT is exploring the possibility of using translation software when drivers transition to electronic manifest in the future.
- Survey riders bi-annually and tally information to monitor alternate language translation needs
- Track callers with limited English proficiency and determine need
- Review and update the LEP Plan on a regular basis

Staff Training

A training of Title VI regarding Race, Color and National origin and ways to help to help those with Limited English proficiency is given to new hires. Based on past driver surveys, the majority decided it wasn't necessary at this time to offer any additional training, such as a basic Spanish course. Drivers felt that they are able to communicate the basics to the rider(s) with some effort. Drivers will be equipped with the pictographs. Mobility Management will communicate their needs to Management if additional training seems needed.