

Title VI Plan and Procedures
Title VI of the Civil Rights Act of 1964

Virginia Regional Transit



Adopted Update

January 2019



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Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) approved the results of the analysis

I. INTRODUCTION

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

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

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

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

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

II. OVERVIEW OF SERVICES

Virginia Regional Transit (VRT) is a 501(c)(3) not-for-profit organization, duly incorporated and authorized to do business in the Commonwealth of Virginia. Founded in 1990, VRT's service footprint encompasses over 10% of Virginia's rural and small urban geographical area providing a range of public transportation solutions and specializing in affordable community transportation. VRT's mission statement is to operate, manage and plan fixed routes demand response and commuter transportation services. The organization delivers efficient, cost-effective and quality services for riders so they can move about their communities and live their lives fully. The organization strives to be the choice for our customers, looking to offer transportation as a vital community resource. VRT strives to offer its partner jurisdictions a comprehensive transit package.

VRT averaged over 1,000,000 passengers boarding annually from 2010-2014. Its primary focus has been providing reliable transit services in rural and suburban areas at the edges of Virginia's major metropolitan centers. Funding for its services is provided primarily through state and federal government channels, with a portion of the cost derived from local funding sources. VRT offsets part of the expenditure with fare revenue and fundraising activities.

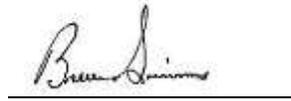
VRT has worked to improve Virginia's public transit infrastructure by opening multiple administrative and maintenance facilities across the state. VRT uses these facilities as its own operations centers, but has also cooperated with other transit providers and related organizations to extend the reach of public transportation in Virginia.

III. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Virginia Regional Transit is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The Virginia Regional Transit Title VI Manager, Angela Richards is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



12/06/18

Bruce Simms, CEO Authorizing Official

Date

Authorities

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

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

IV. NONDISCRIMINATION ASSURANCES TO DRPT

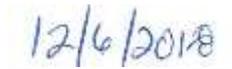
In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia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

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

In signing and submitting this assurance, Virginia Regional Transit confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

V. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the Virginia Regional Transit Title VI Implementation Plan 2017-2018. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of Virginia Regional Transit transportation services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.



Signature of Authorizing Official

DATE

Maxie Brown, Chairman

Virginia Regional Transit

Virginia Regional Transit Board of Directors Resolution #11-19 approves this policy.

VI. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

The Virginia Regional Transit's Title VI Manager Angela Richards, is responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

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

Detailed Responsibilities of the Title VI Manager

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

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

General Title VI responsibilities of the agency

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

1. Data collection

To ensure that Title VI reporting requirements are met, Virginia Regional Transit will maintain:

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

2. Annual Report and Updates

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

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

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

3. Annual review of Title VI program

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

4. Dissemination of information related to the Title VI program

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

5. Resolution of complaints

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

6. Written policies and procedures

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

7. Internal education

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

Title VI training is the responsibility of Angela Richards, Title VI Manager and Central Region Transit Manager, Eric Lev Dahl, NOVA Region Transit Manager.

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), Virginia Regional Transit’s contract/PO will include appropriate non-discrimination clauses. The Title VI Manager, Angela Richards will work with Bruce Simms, CEO who is responsible for procurement contracts and PO’s to ensure appropriate non-discrimination clauses are included.

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

Requirement to Provide a Title VI Public Notice

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

See Appendix A - Title VI Notice to the Public and List of Locations

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

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

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

See Appendix B – Virginia Regional Transit's Title VI Complaint Form

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against Virginia Regional Transit, the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint shall be in writing and signed by the complainant(s).
 - c. The complaint should include:
 - the complainant's name, address, and contact information
 - (i.e. telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - d. The complaint shall be submitted to the Virginia Regional Transit Title VI Manager at 1099 Brandy Knoll Court, Culpeper, Va.22701 or Angela @vatransit.org.
 - e. Complaints received by any other employee of Virginia Regional Transit will be immediately forwarded to the Title VI Manager.
 - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and a bi-lingual employee will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify Virginia Regional Transit's Board of Directors Chairman, Maxie Brown
 - c. ensure that the complaint is entered in the complaint database
3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.

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

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

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

See Appendix C - Investigations, Lawsuits and Complaints Document

Public Outreach and Involvement

PUBLIC PARTICIPATION PLAN

Introduction

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

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

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

Virginia Regional Transit established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

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

See Appendix D – Summary of Outreach Efforts

VIII. PERCENTAGE OF POPULATION LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

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

As required, Virginia Regional Transit developed a written LEP Plan (below). Using 2010 and American Community Survey (ACS) Census data, Virginia Regional Transit has evaluated data to determine the extent of need for translation services of its vital documents and materials.

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

Assessment of Needs and Resources

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

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

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

U.S. Census Data – American Community Survey (2006-2010)

Data from the U.S. Census Bureau’s American Community Survey (ACS) were obtained through www.census.gov by Virginia Regional Transit’s service area. The agency’s service area includes a total of 424,201 or .30% persons with Limited English Proficiency (those persons who indicated that they spoke English “not well,” and “not at all” in the 2006-2010 ACS Census).

Information from the 2006-2010 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language are needed to meet the needs of LEP persons.

- Spanish 506,468 or 6.7%
- Indo-European 260,085 or 3.4%
- Asian and Pacific Island Languages 265,687 or 3.9%
- Other Languages 98,457 or 1.3%

Culpeper Commonwealth District

Culpeper County Spanish Population 8.9% based on population of 47,911 – 3.1% LEP

Town of Culpeper Spanish Population 17% based on population of 17,411 – % LEP

Fauquier County Spanish Population 6.7% based on population of 66,542 – 2.5% LEP

Town of Warrenton Spanish Population 7.4% based on population of 9,907 – % LEP

Orange County Spanish Population is 3.9% based on population of 34,246 – 2.1% LEP

Town of Front Royal Spanish Population 4.6% based on population of 15,038 – 1.3% LEP

Northern Virginia Commonwealth Transportation District

Loudoun County Spanish Population 12.8% and Asian Population is 16% based on population of 336,898 – 10.4% LEP

Clarke County Spanish Population 3.5% based on population 14,323 –1.5% LEP

Some regions VRT provides transportation have limited service available to accommodate entire area of statistical data provided. An example would be Loudoun County where VRT has service only in the rural areas.

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

Virginia Regional Transit reviewed the relevant benefits, services, and information provided by the agency and determined the extent to which LEP persons have come into contact with these functions through *one or more of* the following channels:

- Contact with transit vehicle operators;
- Contact with transit managers;
- Calls to Virginia Regional Transit's customer service telephone line;
- Visits to the agency's headquarters;
- Access to the agency's website;
- Attendance at community meetings or public hearings hosted by Virginia Regional Transit;
- Contact with the agency's ADA complementary paratransit system (including applying for eligibility, making reservations, and communicating with drivers).

Virginia Regional Transit found that there were a significant number of Spanish speaking passengers. To accommodate the Spanish speaking customers we have available several employees who are fluent in the language and act as interpreters when needed.

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact. To assist in language identification, we use a language identification flashcard based on that which was developed by the U.S. Census. (<http://www.lep.gov/ISpeakCards2004.pdf>)

Information from Community Organizations that Serve LEP Persons (Optional?)

To supplement the Census, education, and labor department data, Virginia Regional Transit conducted community outreach to the following organizations that work with LEP populations. VRT works in conjunction with the following:

- *State and local governments;*

VRT works with the responsible transportation entity in each service area as requested to include public meetings and transportation meetings to include human service organizations.

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

Virginia Regional Transit provides public transportation which focuses on the needs for people who have no transportation options as well as those who choose to ride public transit. VRT works closely with the local governments to identify transportation needs such as senior living and the LEP populations to ensure rides are provided to improve their quality of life. Specific needs include work, school, medical appointments and shopping.

Based on past experience serving and communicating with LEP persons and interviews with community agencies, we learned that the following services/routes/programs are currently of particular importance LEP persons in the community.

- VRT provides demand response service in each service area which allows transportation for LEP persons. This service has been an overwhelming success as reported to the local governments in the service areas.

The following are the most critical services provided by Virginia Regional Transit for all customers, including LEP persons.

- Safety and security awareness instructions
- Emergency evacuation procedures
- Public transit services, including reduced fare application process
- ADA paratransit services (if your agency operates fixed-route), including eligibility certification process
- Other paratransit services
- Services targeted at low income persons

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

Costs

The following language assistance measures currently being provided by Virginia Regional Transit

- Use of universal signage on all vehicles

We anticipate that these activities and costs should maintain over the next three years.

Based on the analysis of demographic data and contact with community organizations and LEP persons, Virginia Regional Transit has determined that the following additional services are ideally needed to provide meaningful access:

Resources

The available budget that could currently be devoted to additional language assistance expenses is \$3,000.00. This amount is likely to fluctuate over time due to growth of company.

In addition, in-kind assistance may be available through city or county departments, other transit agencies who may be able to partner for language assistance services.

Feasible and Appropriate Language Assistance Measures

Based on the available resources, the following language assistance measures are feasible and appropriate for our agency at this time:

- As previously stated

LEP Implementation Plan

Through the four-factor analysis, Virginia Regional Transit has determined that the following types of language assistance are most needed and feasible:

- Translation of vital documents into Spanish. These documents include:
 - System Map and Ride Guide
 - Application for reduced fare
 - All printed materials on ADA Paratransit, including brochure, eligibility application package, and passenger policies and procedures
- Attempt to hire bilingual staff with competency in spoken and written (Spanish)
- Language Line Translation Services for telephone contacts.
- In-person translation for ADA eligibility assessments.

Staff Access to Language Assistance Services

Agency staff who come into contact with LEP persons can access language services by offering the individual a language identification flashcard. All staff will be provided with a list of available language assistance services and additional information and referral resources (such as community organizations which can assist LEP persons). This list will be updated at least annually.

Responding to LEP Callers

Staff who answer calls from the public respond to LEP customers as follows:

Calls received from LEP persons are transferred to the appropriate language speaking person usually on staff. For those we cannot accommodate, we have a language line available from our local governments to ensure the passenger needs are met.

Responding to Written Communications from LEP Persons

The following procedures are followed when responding to written communications from LEP persons are addressed and handled by an appropriate bi-lingual staff member for accuracy purposes.

Responding to LEP Individuals in Person

The following procedures are followed when an LEP person visits our customer service and administrative office to include a person from management as well as a bi-lingual staff member to meet the needs of the person.

The following procedures are followed by operators when an LEP person has a question on board a Virginia Regional Transit vehicle: incidents regarding a driver are usually handled over the radio (point to point) with an appropriate bi-lingual staff member or a physical appearance from our supervisory team along with a language speaking staff member when available.

Staff Training

As noted previously, all Virginia Regional Transit staff are provided with a list of available language assistance services and additional information and referral resources, updated annually.

All new hires receive training on assisting LEP persons as part of their sensitivity and customer service training. This includes:

- A summary of the transit agency's responsibilities under the DOT LEP Guidance;
- A summary of the agency's language assistance plan;
- A summary of the number and proportion of LEP persons in the agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population;
- A description of the type of language assistance that the agency is currently providing and instructions on how agency staff can access these products and services; and
- A description of the agency's cultural sensitivity policies and practices.

Also, all staff who routinely come into contact with customers, as well as their supervisors and all management staff, receive annual refresher training on policies and procedures related to assisting LEP persons.

Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches:

- following our Title VI policy statement included on our vital documents.
- on our website, with links to translations of vital documents in other languages.
- through signs posted on our vehicles and in our customer service and administrative offices.
- Through outreach efforts to community organizations

LEP persons will also be included in all community outreach efforts related to service and fare changes.

Monitoring/Updating the plan

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

As part of ongoing outreach to community organizations, Virginia Regional Transit will solicit feedback on the effectiveness of language assistance provided and unmet needs. In addition, we will conduct a review of updated Census data of the adequacy and quality of the language assistance provided, and determines changes to LEP needs.

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

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

As the community grows and new LEP groups emerge, Virginia Regional Transit will strive to address the needs for additional language assistance.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

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

Virginia Regional Transit participates in transit related, non-elected planning boards, advisory councils and/ or committees. VRT currently does not have its own Title VI committee.

SEE APPENDIX E- TABLE MINORITY REPRESENTATION ON COMMITTEES BY RACE

REQUIREMENTS OF TRANSIT PROVIDERS

Requirements and Guidelines for Fixed Route Transit Providers

The requirements apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities.

Transit providers that are sub-recipients will submit the information to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. The requirements are scaled based on the size of the fixed route transit provider.

REQUIRED: Service Standards and Policies

- **Service Standards**
 - Vehicle load, Vehicle headway, On-time performance, Service availability
- **Service Policies**
 - Transit amenities, Vehicle assignment

Virginia Regional Transit is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. Virginia Regional Transit has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

The agency has set standards and policies that address how services are distributed across the transit system service area to ensure that the distribution affords users equitable access to these services. As shown in the following maps, the agency's routes (Please see website for route maps). The agency's demand responsive services are available to all callers on a first-come first-served basis, without regard for race, color or national origin.

The following system-wide service standards are used to guard against service design or operations decisions from having disparate impacts. All of Virginia Regional Transit's services meet the agency's established standards; thus it is judged that services are provided equitably to all persons in the service area, regardless of race, color or national origin.

- **Vehicle load** -Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle at its maximum load point. The standard for maximum vehicle load varies among bus types due to customer demand, all of Virginia Regional Transit's services meet these standards

- **Vehicle headway** -Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given route. A shorter headway corresponds to more frequent service. The standard for vehicle headways is 30-60mins., all of Virginia Regional Transit's services meet this standard.
- **On-time performance** -On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be "on time." The standard for on-time performance is 85%, all of Virginia Regional Transit's services meet this standard.
- **Service availability** - Service availability is a general measure of the distribution of routes within a transit provider's service area or the span of service. The standard for service availability is 95% all of Virginia Regional Transit's services meet this standard.

Service and Operating Policies

The Virginia Regional Transit's service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities** -Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Virginia Regional Transit has a policy to ensure the equitable distribution of transit amenities across the system. This policy applies to seating (i.e., benches, seats), bus shelters and canopies, (c) provision of information, Intelligent Transportation Systems (ITS), waste receptacles (including trash and recycling). Passenger amenities are sited based on the agreement between Virginia Regional Transit and the local jurisdictions served in the regions.
- **Vehicle assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. Virginia Regional Transit assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The Transit Managers Eric Levdahl for NOVA and Angela Richards Central region review the vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

Vehicles are placed on route by service demand requirements, age of bus and mileage on bus as dictated by the operations team.

Monitoring Title VI Complaints

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

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

Fare and Service Changes

Virginia Regional Transit does not control fare increase or decrease. Virginia Regional Transit follows the adopted local jurisdictions written policy for the public comment process for major service reductions and fare increases. With each proposed service or fare change, the local jurisdictions consider the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

Appendix A

1. Virginia Regional Transit

1099 Brandy Knoll Ct

Culpeper, Virginia 22701

Locations of Postings: Reception Area, Drivers Meeting Room, All Buses

2. Virginia Regional Transit

109 N Bailey Lane

Purcellville Virginia 20132

Locations of Postings: Reception Area, Driver's Meeting Room, All Buses

Locations such as:

- 1) VRT's Mountain Region operates under the Central Shenandoah Planning District Commission's Title VI plan.
- 2) VRT Suffolk Transit operates under the City of Suffolk's Title VI plan

Title VI Notice to the Public: List of Locations

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

Virginia Regional Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided Virginia Regional Transit, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Angela Richards
Transit Manager
Title VI Manager
Virginia Regional Transit
1099 Brandy Knoll Court
Culpeper, Virginia 22701
(540) 825-2456 Ext. 3102
Angela@vatransit.org

Virginia Regional Transit’s other locations where Title VI Notice to Public have been posted

109 North Bailey Lane
Purcellville, VA 20132

Title VI Complaint Procedure

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

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

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

Virginia Regional Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Virginia Regional Transit's nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.vatransit.org or contact Angela Richards, Title VI Manager, at 1099 Brandy Knoll Court, Culpeper, VA 22701 or Angela@vatransit.org

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within Virginia Regional Transit's brochure.



Appendix B Title VI Complaint Form

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

Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____	
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
Section VI		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

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

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Virginia Regional Transit
1099 Brandy Knoll Court, Culpeper, Va. 22701

Appendix C

Investigations, Lawsuits and Complaints Document

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color or national origin)	Status	Action(s) taken
Investigations	0	0	0	0
1.	0	0	0	0
Lawsuits	0	0	0	0
1.	0	0	0	0
Complaints	0	0	0	0
1.	0	0	0	0

Appendix D

Summary of Outreach Efforts

Virginia Regional Transit's Public Outreach Practices

- Meet quarterly in different regions regarding the LEP populations and outreach programs necessary to establish communication and form a committee.
- Create, print, and distribute Spanish language route brochures in the Central Region bus service.

Appendix E

Minority Representation on Committees by Race

Culpeper Transportation Group

Committee	Black or African American	White/ Caucasian	Latino/ Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other <i>*Note</i>	Totals
Citizens Advisory Committee (CAC)	2	12	1	0	0	0	0	15
% of CAC Committee	5	94	1	0	0	0	0	100
Citizens Advisory Committee on Accessible Transportation (CACAT)								
% of CACAT Committee								