

# Reviewer Instructions:

## Title VI Plan

Wisconsin Department of Transportation  
Division of Transportation Investment Management (DTIM)  
**Bureau of Transit, Local Roads, Rails and Harbors (BTLR)**



*August 28, 2015*

The ***Reviewer Instructions: Title VI Plan*** document is a resource tool for WisDOT to evaluate and approve subrecipient Title VI plans. This document is also a guide for subrecipients to verify completeness of their Title VI plan.

## Background/Overview

The **Reviewer Instructions: Title VI Plan** document is a resource tool for WisDOT to evaluate and approve subrecipient Title VI plans. This document is also a guide for subrecipients to verify completeness of their Title VI plan.

### General Requirements (Title VI Plan Checklist)

*All subrecipients must submit:*

1. Evidence of **Approval of Title VI Plan**
2. **Title VI Notice to the Public**
3. **Title VI Complaint Procedures**
4. **Title VI Complaint Form**
5. List of transit-related **Title VI investigations, complaint and lawsuits**
6. **Public Participation Plan**
7. **Language Assistance Plan**
8. **Minority Representation Table**

*For subrecipients constructing a facility, in addition to items 1-8, submit 9*

9. **Title VI (Facility Location) Equity Analysis**

*For subrecipients operating fixed route transit service, in addition to items 1-8, submit 10 & 11.*

10. **Fixed Route Service Standards**
11. **Fixed Route Service Policies**

*For Metropolitan Transportation Planning Organizations (MPOs), in addition to items 1-8 (and items 10 and 11 if the MPO is a provider of fixed route public transportation), submit*

12. **MPO Demographic Data, Analysis and Procedures**

Note: Each of the numbered items listed above have a companion Appendix at the end of this document. The Appendices provide a guide for the type of information to be provided for each required element.

## A. SPECIFIC REQUIREMENTS

### 1. Evidence of Approval of Title VI Plan

The subrecipient must provide evidence of approval of the Title VI plan (**Appendix 1**).

A copy of one the following is included in the plan:

- \_\_\_\_\_ Signed Policy Statement (similar to **Appendix 1**)
- \_\_\_\_\_ Board Meeting Minutes
- \_\_\_\_\_ Resolution
- \_\_\_\_\_ Other Appropriate Documentation

Though not required, subrecipients are encouraged to use a log to track/record Title VI plan updates.

### 2. Title VI Notice to the Public

The subrecipient must inform customers and the public of their rights under Title VI regulations by posting a Title VI public notice (**Appendix 2**).

Content: The following three items are included in the **Notice to Public**:

- A statement that the agency operates programs without regard to race, color or national origin.
- Information on how to request additional information about the agency's Title VI obligations. This includes such items as how to file a complaint, the location of the complaint form, etc.
- Information on how to request Title VI information made available in appropriate languages for LEP populations, meeting the Safe Harbor threshold.

Location: The plan describes the *locations* of the **Notice to Public**. At a minimum, the notice must be posted in the following locations:

- On the agency's website (if the agency has a website)
- In public areas of the agency's office (reception desk, public meeting rooms, etc.)

Best practice guidance also suggests posting or printing notices in other areas such as (check all that apply and/or are submitted):

- Inside vehicles (cars, vans, buses, rail)
- In and around transit shelters and stations
- In rider guides
- In bus schedules

### 3. Title VI Complaint Procedure

The subrecipient must have a clear and consistent procedure for responding to customer complaints on Title VI issues (**Appendix 3**).

Content: The procedure should include:

- An explanation of what specific issues are covered by the procedure
- How to file the complaint (including timelines and access to a complaint form)
- To whom to submit the complaint
- How the agency will respond to the complaint (including timelines)
- If an investigation of the complaint is conducted, how the customer will be informed of the outcome of the investigation
- A notice that the customer may file a complaint directly with FTA including FTA contact information
- How language access will be provided (LEP) if required per populations meeting the safe harbor threshold.

Location: The plan describes the location of the **Complaint Procedure**. At a minimum, the **Complaint Procedure** must be:

- Posted on the agency website (if the agency has a website)
- Made available in hard copy in the central office.
- Made available in appropriate languages for LEP populations, meeting the Safe Harbor threshold.

### 4. Title VI Complaint Form

The subrecipient must provide a **Title VI Customer Complaint Form (Appendix 4)**.

Content: The form must include fields for:

- The complainant's name and contact information
- Identification of the Title VI protected class(es) (race, color, national origin) involved in the complaint. (The form may include other protected classes such as age, disability, and gender, and the complainant can choose one or more of these other protected classes as part of the complaint.)
- Date(s) of the alleged discrimination
- An explanation of the alleged discriminatory act or behavior

Location: At a minimum, the **Title VI Complaint Form** must be:

- Posted on the agency website (if the agency has a website)
- Made available in hard copy in the central office.
- Made available in appropriate languages for LEP populations, meeting the Safe Harbor threshold.

## 5. List of Transit-Related Title VI Investigations, Complaints and Lawsuits

The subrecipient shall maintain a list or log pertaining to their *transit-related* activities (**Appendix 5**).

- ✓ Investigations by FTA, the agency itself, or any other entity, which are based on race, color or national origin discrimination allegation(s).
- ✓ Lawsuits which are based on race, color or national origin discrimination allegation(s).
- ✓ Complaints naming the subrecipient which are based on race, color, or national origin discrimination allegation(s).

Content: The list or log shall include:

- Dates
- Summary of allegation(s)
- Status
- Actions taken by subrecipient in response
- The final outcome (if resolved), and
- Evidence of a tracking log

Even if the subrecipient does not have any investigations, lawsuits or complaints, the subrecipient should provide evidence of having a tracking log. A recommended practice, if no investigations, lawsuits, or complaints exist is to use the tracking log and specify “no investigations, lawsuits, or complaints exist as of ‘x’ date”.

## 6. Public Participation Plan

The subrecipient must have a written **Public Participation Plan** which describes the strategies, procedures and desired outcomes supporting their public participation activities (**Appendix 6**).

Content: The subrecipient is allowed flexibility in determining how, when and how often specific public participation activities should take place and which specific measures are appropriate.

The **Public Participation Plan** should list:

- Strategies, procedures and desired outcomes of their Public Participation Plan
- A log of public participation activities outreach efforts
- Upcoming public participation activities

While an explanation/description is not required, the public participation activities should be reviewed on an annual basis and reflect the subrecipient’s:

- Demographics
- Service under consideration
- Programs affected or proposed
- Resources available

Best practices strategies for possible outreach strategies include:

- Expanding traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.
- Selecting accessible and varied meeting locations and times
- Providing childcare and food during meetings
- Using social media in addition to other resources as a way to gain public involvement
- Employing different meeting sizes and formats
- Using radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.

## 7. Language Assistance Plan

The subrecipient must have a written **Language Assistance Plan (Appendix 7)**.

The subrecipient shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of its programs and activities for individuals who are limited-English proficient (LEP). Failure to provide this could lead to a claim of national origin discrimination.

**Limited English Proficient (LEP):** Referring to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

LEP Safe Harbor

The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less of the population to be served) the subrecipient must provide written translation of vital documents for the non-English users.

Examples of written translation of vital documents include the Title VI policy statement and/or Notice to the Public (**Appendix 2**), Title VI Complaint Procedure (**Appendix 3**), Title VI Complaint Form (**Appendix 4**), and ADA paratransit eligibility forms

To determine if an individual is entitled to language assistance and what specific services are appropriate, DOT has provided an assessment tool, the Four Factor Analysis. Per DOT LEP guidance at: <https://www.civilrights.dot.gov/civil-rights-awareness-enforcement/language-assistance/dots-lep-guidance>

The LEP Four Factor Analysis

- ✓ **Factor 1: Demography:** What is the number or proportion of LEP persons served and the languages spoken in the service area?

- ✓ **Factor 2: Frequency:** How often do LEP persons come into contact with the service or program?
- ✓ **Factor 3: Importance:** How does the program, service or activity affect people’s lives?
- ✓ **Factor 4: Resources and Costs:** What funding and other resources are available for LEP outreach?

At a minimum, the **Language Assistance Plan** shall include: (See **Appendix 7** as a sample)

*Note: Appendix 7 includes steps for completing the four factor analysis as well as the other required elements.*

- The results of the Four Factor Analysis, including a description of the LEP population(s), served. *Check item below to reflect each factor is included.*
  - *Factor 1: Demography (County data is available on the WisDOT website)*
  - *Factor 2: Frequency*
  - *Factor 3: Importance*
  - *Factor 4: Resources and Costs*
- A description of how language assistance services are provided, by language
- A description of how LEP persons are informed of the availability of language assistance service
- A description of how the language assistance plan is monitored and updated
- A description of how employees are trained to provide language assistance to LEP persons

## 8. Minority Representation Information

A subrecipient with **transit-related**, non-elected planning boards, advisory councils, or committees selected by the subrecipient must provide a table depicting the membership of those organizations broken down by race (**Appendix 8, page 1**).

A sample form which can be used to collect this data can be found in **Appendix 8, page 2**.

Note: **Appendix 8, page 2, Data Collection Forms** do not need to be submitted in the Title VI plan.

The following items should be included:

- Table of Depicting Membership of Councils/Boards/Committees by Race  
*Note: County data by race is available on the WisDOT website.*
- Description of efforts made to encourage participation of minorities

## 9. Title VI (Facility Location) Equity Analysis

Is the subrecipient constructing a facility?

- Yes. *If yes, the subrecipient should submit the required fields/elements outlined in **Appendix 9**. Using **Appendix 9** as a guide, the reviewer should evaluate the materials submitted and determine if the basic requirements have been met. The reviewer should contact the appropriate Program Manager for an additional review for completeness.*
- No. *If no, **Appendix 9** (or its equivalent) does not need to be completed by the subrecipient.*

### Background

A subrecipient planning to acquire land to construct certain types of facilities must not discriminate on the basis of race, color, or national origin, against persons who may, as a result of the construction, be displaced from their homes or businesses. “Facilities” in this context does not include transit stations or bus shelters, but instead refers to storage facilities, maintenance facilities, and operation centers.

Prior to the actual construction of a facility there are many steps involved in the planning process. It is during these planning phases that attention needs to be paid to equity and non-discrimination through equity analysis. The analysis must be done before the selection of the preferred site (**Appendix 9**).

**Note:** Even if facility construction is financed with non-FTA funds, if the subrecipient organization receives *any* FTA dollars, it must comply with this requirement.

Key points:

- The subrecipient shall conduct a **Title VI Equity Analysis** during the planning stage of the project to ensure a location is selected in a non-discriminatory manner.
- When evaluating locations, the subrecipient must investigate other facilities that have been built in the area with similar impact to determine if there are any cumulative adverse impacts.
- If the selected location of the constructed facility results in “disparate treatment” the subrecipient must show both substantial legitimate justification for locating the facility there and evidence that there are no alternative locations.

## 10. Fixed Route Service Standards

Is the subrecipient a fixed route transit provider?

- Yes. *If yes, the subrecipient should submit the required fields/elements outlined in **Appendix 10**. Using **Appendix 10** as a guide, the reviewer should evaluate the materials submitted and determine if the basic requirements have been met. The reviewer should contact the appropriate Program Manager for an additional review for completeness.*
- No. *If no, **Appendix 10** (or its equivalent) does not need to be completed by the subrecipient.*

## Background

**Fixed route:** Public transit service (other than by aircraft) provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

A subrecipient providing fixed route service, as defined above, must determine frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, or the location of routes in a non-discriminatory manner. The subrecipient must not make service decisions on the basis of race, color, or national origin (**Appendix 10**).

Effective practices to fulfill the Service Standard requirements include:

- Vehicle load for each mode
- Vehicle headway for each mode
- On time performance for each mode
- Service availability for each mode

## 11. Fixed Route Service Policies

Is the subrecipient a fixed route transit provider?

- Yes. *If yes, the subrecipient should submit the required fields/elements outlined in **Appendix 11**. Using **Appendix 11** as a guide, the reviewer should evaluate the materials submitted and determine if the basic requirements have been met. The reviewer should contact the appropriate Program Manager for an additional review for completeness.*
- No. *If no, **Appendix 11** (or its equivalent) does not need to be completed by the subrecipient.*

## Background

**Fixed route:** Public transit service (other than by aircraft) provided on a repetitive, fixed-schedule basis along a specific route, with vehicles stopping to pick up passengers.

A subrecipient providing fixed route service, as defined above, must determine the distribution of transit amenities or the vehicle assignments for each mode in a non-discriminatory manner. The subrecipient must develop policies to ensure service is not distributed on the basis of race, color, or national origin (**Appendix 11**).

Effective practices to fulfill the Service Policies requirements include developing written policies covering each of the following service indicators:

1. *Transit amenities for each mode*
  - ✓ Items of comfort, convenience and safety which are available to the general riding public such as seating, shelters, canopies, signs, maps, schedules, escalators, elevators, and waste receptacles. Although there may be different policies for different modes of transportation, amenities policies address how these amenities are distributed within a transit system in a way that ensures all riders have equal access to the amenities.

2. *Vehicle assignments for each mode*

- ✓ The process for placing transit vehicles into service depots and on routes throughout the transit provider's system. Policies may be based on vehicle type and service type.

## 12. MPO Demographic Data, Analysis and Procedures

Is the subrecipient a Metropolitan Transportation Planning Organization (MPO)?

- Yes. *If yes, the MPO should submit the required fields/elements outlined in **Appendix 12**. Using **Appendix 12** as a guide, the reviewer should evaluate the materials for completeness.*
- No. *If no, **Appendix 11** (or its equivalent) does not need to be completed by the subrecipient.*

### Background

Chapter VI-1 of FTA Circular 4702.1B (October 1, 2012)

<http://www.fta.dot.gov/civilrights/12328.html> outlines the requirements for MPOs.

MPOs that receive Federal planning money from WisDOT shall submit a Title VI plan to the State as the primary recipient from which they receive funding.

For Metropolitan Transportation Planning Organizations (MPOs), in addition to items 1-8 (and items 10 and 11 if the MPO is a provider of fixed route public transportation), the MPO shall also submit to WisDOT the following (**Appendix 12**):

- a. A demographic profile of the metropolitan area that includes identification of the locations of minority populations in aggregate
- b. A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- c. Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO.
- d. Analysis of the impacts identified in (c) that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

If the MPO is a direct recipient, the MPO will be required to submit additional information to FTA per Chapter VI-1 of FTA Circular 4702.1B (October 1, 2012).

### Note:

All MPOs are required to self-certify compliance with all applicable federal requirements. Planning certification reviews conducted jointly by FTA and FHWA of the metropolitan transportation planning processes of transportation management areas include a review of Title VI compliance.

(Appendix 1)

**Title VI Plan**

**City of USA**

*(Sample)*

Adopted on: (insert date)

\_\_\_\_\_

Adopted by: Name of Board or appropriate governing entity or officials

\_\_\_\_\_

Revised on: (insert date)

\_\_\_\_\_

*This policy is hereby adopted and signed by:*

**City of USA**

Executive Name/Title:

\_\_\_\_\_

Executive Signature:

\_\_\_\_\_

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**Policy Statement**

The **City of USA** as a recipient of Federal Transit Administration (FTA) grant dollars either directly from FTA or through the Wisconsin Department of Transportation (WisDOT) will comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation implementing regulations.

**Title VI Plan Elements**

The **City of USA's** Title VI plan includes the following elements:

1. *Evidence of Policy Approval*
2. *Notice to the Public*
3. *Complaint Procedure*
4. *Complaint Form*
5. *List of transit related Title VI Investigations, Complaints and Lawsuits*
6. *Public Participation Plan*
7. *Language Assistance Plan*
8. *Minority Representation Table and Description*

Note: Additional materials will be attached, if required.

The **City of USA** will review its policy at least once a year to determine if modifications are necessary. As applicable, the **City of USA** will meet with its third party contractor (transit provider) or lessee on an annual basis to ensure compliance with Title VI plan requirements.

### Policy Updates – Activity Log

Date	Activity (Review/Update/Addendum/ Adoption/Distribution)	Person Responsible	Remarks

Note: Though not required, Subrecipients are encouraged to use a log to track/record Title VI plan updates.

## (Appendix 2) - TITLE VI Notice to the Public

(Sample)

The **City of USA's** Notice to the Public is as follows:

Notifying the Public of Rights Under Title VI

**THE CITY OF USA**

- ✓ The **City of USA** 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 **City of USA**.
- ✓ For more information on the **City of USA's** civil rights program, and the procedures to file a complaint, contact XXX-XXX-XXXX, (TTY 800-XXX-XXX); email [title.vi.complaint@city.of.us](mailto:title.vi.complaint@city.of.us); ; or visit our administrative office at 1234 Center Street, City of USA, State 11111. For more information, visit [www.city.of.usa](http://www.city.of.usa)
- ✓ 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, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact XXX-XXX-XXXX.  
*Si se necesita informacion en otro idioma de contacto, XXX-XXX-XXXX.*

The **City of USA's** Notice to the Public is posted in the following locations: *(check all that apply)*

- Agency website [*insert website address here*]
- Public areas of the agency office (common area, public meeting rooms, etc.)
- Inside vehicles
- Rider Guides/Schedules
- Transit shelters and stations
- Other, \_\_\_\_\_

### (Appendix 3) – Title VI Complaint Procedure

*(Sample)*

The **City of USA's** Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- Agency website, either as a reference in the Notice to Public or in its entirety
  - Hard copy in the central office
  - Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
  - Other, \_\_\_\_\_
- 

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the **City of USA** may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The **City of USA** investigates complaints received no more than 180 days after the alleged incident. The **City of USA** will process complaints that are complete.

Once the complaint is received, the **City of USA** will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The **City of USA** has XX days to investigate the complaint. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has XX 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 XX business days, the city 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 (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has XX 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.

If information is needed in another language, then contact XXX-XXX-XXXX. *This statement should be stated in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor threshold.*

## (Appendix 4) – Title VI Complaint Form

(Sample)

The **City of USA’s** Title VI Complaint Procedure is made available in the following locations: *(check all that apply)*

- Agency website, either as a reference in the Notice to Public or in its entirety
- Hard copy in the central office
- Available in appropriate languages for LEP populations, meeting the Safe Harbor Threshold.
- Other, \_\_\_\_\_

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
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
<b>Section III:</b>				
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.  _____  _____				
<b>Section IV</b>				
Have you previously filed a Title VI complaint with this agency?			Yes	No

<b>Section V</b>	
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:	
<b>Section VI</b>	
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:

City of USA Title VI Coordinator  
 1234 Center Street  
 City of USA, State

**(Appendix 5) – List of Transit Related Title VI Investigations, Complaints and Lawsuits**

*(Sample)*

The **City of USA** maintains a list or log of all Title VI investigations, complaints and lawsuits, pertaining to its transit-related activities.

**Check One:**

There have been no investigations, complaint and/or lawsuits filed against us during the report period.

\_\_\_\_\_

There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

\_\_\_\_\_

	<b>Date</b> (Month, Day, Year)	<b>Summary</b> (include basis of complaint: race, color, or national origin)	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				

**(Appendix 6) – Public Participation Plan**

*(Sample)*

**Strategies and Desired Outcomes**

To promote inclusive public participation, the **City of USA** will employ the following strategies, as appropriate:

- ✓ Provide for early, frequent and continuous engagement by the public.
- ✓ Select accessible and varied meeting locations and times
- ✓ Employ different meeting sizes and formats
- ✓ Provide childcare and food during meetings, if possible.
- ✓ Use social media in addition to other resources as a way to gain public involvement
- ✓ Use radio, television or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations may also include audio programming available on podcasts.
- ✓ Expand traditional outreach methods by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.

**Public Outreach Activities**

The **City of USA** maintains a log/record of the various types of outreach activities it uses to promote inclusive public participation. On an annual basis, the **City of USA** reviews its log of outreach activities to determine if additional or different strategies are needed to promote inclusive public participation.

The direct public outreach and involvement activities conducted by the **City of USA** are summarized in the table below. Efforts include *meetings, surveys, focus groups, attendance at community events, etc.*

Information collected on the size, location, meeting format, number of attendees, etc. as well as the scope of the distribution method (i.e. posters were placed in all shopping centers in the affected area) will be used for future planning efforts. Examples of additional supporting materials include copies of meeting announcements, agendas, posters, attendee list, etc.

Event Date	City of USA Staffer(s)	Event	Date Publicized and Communication Method (Public Notice, Posters, Social Media)	Outreach Method (Meeting, Focus Group, Survey, etc).	Notes

## (Appendix 7) Language Assistance Plan

Item #1 – Results of the Four Factor Analysis *(including a description of the LEP population(s) served)*

### Factor 1 – Demography

The **City of USA** contracts with a transit provider/lessee to provide transportation service for the **City of USA** and in USA County.

The US Census Bureau – American Fact Finder (2008-2012) reports there are numerous languages spoken in USA County. Some of these languages include Spanish, German, Russian, Japanese, Hmong, and Vietnamese. After English, the second largest language group is Spanish.

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “speaks English less than very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), the **City of USA** must provide translation of vital documents in written format for non-English speaking persons.

In USA County, with a population estimate of 76,816, 535 persons have identified themselves as Spanish speaking and “speaks English less than well”. This language group is less than 1% and below the 5% or 1,000 person threshold of the population to be served. This means the **City of USA** is not required to provide written translation of vital documents. All of the other language groups listed above are also below the Safe Harbor Threshold. This means, at this time, the **City of USA** is also not required to provide written translation of vital documents in these languages.

Even though the **City of USA** is below the Safe Harbor Threshold and is not required to provide written translation of vital documents, it publishes a timetable and route map in Spanish on its website.

In the future, if the **City of USA** meets the Safe Harbor Threshold for any language group, it will provide written translation of vital documents in such languages and also consider measures needed for oral interpretation.

### Factor 2 – Frequency

The **City of USA** and its transit provider/lessee, if applicable will be trained on what to do when they encounter a person that speaks English less than well. The **City of USA** with assistance from our transit provider/lessee will track the number of encounters and consider making adjustments as needed to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of the **City of USA’s** programs and services.

### Log of LEP Encounters

Date	Time	Language Spoken By Individual <i>(if available)</i>	Name and Phone Number of Individual <i>(if available)</i>	Service Requested	Follow Up Required	Staff Member Providing Assistance	Notes

The **City of USA's** transit provider/lessee provides rides to XX persons per year. While formal data has not been collected, the transit provider/lessee has indicated it has encountered (2) two LEP persons using the service within the last six months.

The **City of USA** and our transit provider/lessee has an open door policy and will provide rides to any person who requests a ride. If an individual has speech limitations, the dispatcher or driver will work with the Transit Manager and the **City of USA** to ensure the individual receives access to the transportation service.

The "I Speak" Language identification card listed below is a document that can be placed in our transit provider/lessee's vehicles and used by the **City of USA** staff to assist LEP individuals. Additional languages can be added as needed to match the demographic changes of the **City of USA's** service area.

#### "I Speak" Language Identification Card

Mark this Box if you speak...	Language Identification Chart	Language
	Mark this box if you read or speak English	English
	Marque esta casilla si lee o habla español	Spanish
	Kos lub voj no yog koj paub twm thiab hais lus Hmoob	Hmong
	如果说中国在方框内打勾	Chinese
	Xin ñaunh daáu vaøo oâ naøy neáu quyù vò bieát ñoïc vaø noui ñöoïc Vieät Ngöõ.	Vietnamese
	당신이한국어말할경우이 상자를표시	Korean
	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	Tagalog
	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen	German
	Отметить этот флажок, если вы говорите по-русски	Russian
	Означите ову кућицу ако говорите српски	Serbian
	आप हिंदी बोलते हैं तो इस बक्से को चिह्नित करें	Hindi
	پر نشان لگائیں تو اس باکس بولتے ہیں اردو اگر آپ	Urdu

Note: For additional languages visit the US Census Bureau website <http://www.lep.gov/ISpeakCards2004.pdf>

#### **Factor 3 – Importance**

The **City of USA** and our transit provider/lessee understands an LEP person with language barrier challenges also faces difficulties obtaining health care, education, access to employment and nutrition meal sites, recreational services and socialization. A transportation system is a key link to connecting LEP persons to these essential services.

The **City of USA** has identified activities and services which would have serious consequences to individuals if language barriers prevented access to information or the benefits of those programs. The activities and services include providing emergency evacuation instructions in our facilities and vehicles and providing information to the public on security awareness or emergency preparedness.

The **City of USA's** assessment of the programs, activities and services that are most critical include contact with community organization(s) that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations.

**Factor 4 – Resources and Costs**

Even though the **City of USA** does not have a separate budget for LEP outreach, the city has worked with our transit provider/lessee to implement low cost methods of reaching LEP persons.

**City of USA** staff conducts outreach activities to LEP communities throughout the year to inform the public of transportation services available. These outreach/resource awareness efforts are low cost methods and are accomplished by existing staff resources and the use of posting website information and developing and printing brochure/materials.

Training of **City of USA** and our transit provider/lessee staff as to Title VI and LEP requirements is conducted internally. At this point, no additional training costs are incurred with the exception of printing/photocopying materials.

Item # 2 – Description of how Language Assistance Services are Provided, by Language
--

The **City of USA** has a bilingual speaking person on staff. In addition, we work with our transit provider/lessee to ensure mechanisms are in place to reach LEP persons in the service area. For example, our transit provider/lessee has a special brochure printed and is available in each vehicle to assist LEP populations in understanding the transportation service.

In addition, the **City of USA** has developed relationships with language teachers in area schools as well as local Hmong leaders to use a resource to assist in meeting the need of LEP persons, if needed.

Item # 3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service
---

The **City of USA** and our transit provider/lessee does the following to inform LEP persons of the availability of language assistance services:

- ✓ Publish a timetable and route map in Spanish on the **City of USA** website
- ✓ Review outreach activities and the frequency of contact with LEP individuals to determine whether additional language assistance services are needed
- ✓ Utilize the bilingual speaking person on staff to assist with the development of bilingual outreach materials, including pictograms and other symbols
- ✓ Prioritize the hiring of bilingual staff, as needed
- ✓ Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs <http://www.wisconsinrelay.com/spanish.html> and <http://www.wisconsinrelay.com/>

The **City of USA** and our transit provider/lessee uses a variety of low cost outreach methods such as visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions and local festivals. The cost is relatively low but the ability to reach the LEP population is high.

Item # 4 – Description of how the Language Assistance Plan is Monitored and Updated
---

The **City of USA** reviews its plan on an annual basis or more frequently as needed. In particular, the **City of USA** will evaluate the information collected on encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivering of programs and services to ensure meaningful access to minority and LEP persons.

In addition, the **City of USA** meets with our transit provider/lessee on an annual basis to ensure the Title VI requirements are met. The last approval and site-visit of the contractor/transit provider was on XX/XX/2015.

Item # 5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons
---

*City of USA employees are oriented on the principles of Title VI and the **City of USA's** Language Assistance Plan. New employees will be provided guidance on the needs of clients served and how best to meet their needs. The **City of USA** will ensure its transit provider/lessee also educates its staff on Title VI requirements, and specifically LEP provisions.*

*If a driver, dispatcher or employee needs further assistance related to LEP individuals, her/she will work with the **City of USA's** and/or our transit provider/lessee's Transit Manager to identify strategies to meet the language needs of the participants of the program or service.*

*As part of our annual check in meeting, the **City of USA** will meet with our transit provider/lessee to discuss updates the **City of USA's** Language Assistance Plan.*

**(Appendix 8) – Minority Representation Information**

*Sample*

**A. Minority Representation Table**

*The table below depicts the **City of USA’s** non-elected committees/councils related to transit.*

Body	Caucasian	Hispanic	African American	Asian American	Native American	Two or More Races
Population	44%	28%	14%	8%	4%	2%
Access Committee	57%	23%	10%	7%	0%	3%
Citizens Advisory Council	36%	25%	20%	10%	5%	4%
Bicycle Pedestrian Committee	45%	30%	15%	4%	5%	1%

**B. Efforts to Encourage Minority Participation**

*The **City of USA** understands diverse representation on committees, councils and boards results in sound policy reflective of its entire population. As such, the **City of USA** encourages participation of all its citizens.*

*As vacancies on boards, committees and councils become available, the **City of USA** will make efforts to encourage and promote diversity.*

*To encourage participation on its boards, committees and councils, the **City of USA** will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, the **City of USA** will use create ways to make participating realistic and reasonable. Such as, scheduling meetings at times best suited to its members and providing transportation and child care, if needed for its members.*

*Sample*

*Minority Representation Data Collection Form*

**Name of board, commission, council, etc.**

Date:

Note: The Minority Representation Data Collection Form is an optional tool for the subrecipient. Completed forms are not required to be submitted with the Title VI plan.

Dear Member,

As the **City of USA** is a recipient of federal funds, we are required under Title VI of the Civil Rights statute to ascertain the racial/ethnic make-up of any non-elected boards, commissions, councils, etc.

Data from this section is used for statistical and reporting purposes. The information may be subject to disclosure under federal or state law or rule.

**Anti-Discrimination Notice**

It is unlawful for the **City of USA** to fail or refuse to provide services, access to services or activities, or otherwise discriminate against an individual because of an individual’s race, color, religion, sex, national origin, disability or veteran status.

As a council under the jurisdiction of the **City of USA**, we invite council members to voluntarily self-identify their race/ethnicity in order for us to comply with FTA Title VI regulations. This information will be used according to the provisions of applicable federal and state laws, executive orders and regulations, including those requiring the information to be summarized and reported to the federal government for civil rights enforcement purposes.

**Race/Ethnicity**

If you choose to self-identify, please mark the **one box** describing the race/ethnicity category with which you primarily identify:

\_\_\_ *Asian or Pacific Islander*: All persons having origins in any of the peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

\_\_\_ *Black and/or African American* (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

\_\_\_ *Hispanic*: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

\_\_\_ *American Indian or Alaskan Native*: All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

\_\_\_ *Caucasian* (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

**(Appendix 9) – Title VI (Facility Location) Equity Analysis**

*(For recipients constructing a facility)*

*Sample*

Completed By			
<b>Name:</b>		<b>Date:</b>	

<b>Subrecipient:</b>	
<b>Facility Type:</b>	
<b>Site Location Address:</b>	
<b>Project Description:</b>	
<b>Project Timeline:</b>	
<b>Analysis of Site Location</b> <i>Compare the equity impact of various site alternatives</i>	
<b>Site Justification</b>	
<b>Outreach Activities</b> <i>List outreach methods used to engage persons potentially impacted by the facility site</i>	

Notes:

The definition of “facility” includes storage facilities, maintenance facilities and operation centers. For purposes of this requirement, “facilities” **does not** include bus shelters, transit stations, power substations, as these are transit amenities and are evaluated during project development and the NEPA process.

The Title Vi equity analysis must occur before the selection of the preferred site.

If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient may locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin.

## (Appendix 10) – Fixed Route Service Standards

(For all Fixed Route Transit Providers)  
Sample

**Vehicle Load Standards**

**1. Expressed in writing**

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 30 passengers for a t 15' mini-bus, 51 passengers for low-floor 40-foot buses, 60 passengers or standard 40-foot buses, and 133 passengers on a light rail car.

**2. Expressed in tabular format**

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
15' Mini-Bus	28	2	30	1.1
40' Low Floor Bus	39	12	51	1.3
40' Standard Bus	43	17	60	1.4
Light Rail Vehicle	64	69	133	2.1

**Vehicle Headway Standards**

**1. Expressed in writing**

Service operates on regional trunk lines 15 minutes or better from early morning to late in the evening, seven days a week. On weekdays, 15 minutes or better service should begin no later than 6:00 a.m. and continue until 10:30 p.m. On weekends, 15 minute or better service should begin by 8:00 a.m. and continue until 10:30 p.m.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

**2. Expressed in tabular format**

Policy Headways and Periods of Operation

WEEKDAY	Peak	Base	Evening	Night
Regional Trunk	10	15	15	30
Urban Radial	15	15	30	60
Cross-Town	15	15	30	--
Secondary Radial	30	30	60	--
Feeder	30	30	60	--
Peak Express	30	--	--	--
Employer Feeder	60	--	--	--

\*Peak 7-9 am and 4-6pm; Base 9 am-4pm; Evening 6-9:30pm; Night: 9:30pm-midnight  
 "-- means no service is provided during that time period

SATURDAY	Peak	Evening	Night	SUNDAY	Peak	Evening	Night
Regional Trunk	15	30	30	Regional Trunk	30	60	--
Urban Radial	30	60	--	Urban Radial	30	60	--
Cross-Town	15	30	--	Cross-Town	30	--	--
Secondary Radial	60	60	--	Secondary Radial	--	--	--
Feeder	60	60	--	Feeder	--	--	--
Peak Express	--	--	--	Peak Express	--	--	--
Employer Feeder	--	--	--	Employer Feeder	--	--	--

*\*Day 7 am-6pm; Evening 6-9:30 pm; Night 9:30 pm-Midnight  
 "-- means no service is provided during that time period*

**On-Time Performance Standards**

Sample 1

Ninety-five (95) percent of the City of USA's transit vehicles will complete their established runs no more than five minutes early or late in comparison to the established schedule/published timetables.

Sample 2

A vehicle is considered on time if it departs a scheduled time point no more than one minute early and not more than five minutes late. The City of USA's on-time performance objective is 90% or greater. The City of USA continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

**Service Availability Standards**

**1. Expressed in writing**

The City of USA will distribute transit service so that 90% of all residents in the service area are within a ¼ mile walk of bus service or within a ½ mile walk of rail service.

and/or

Local bus stops will not be more than three blocks apart. Express bus stops will be one-half to three-quarters of a mile apart.

## **(Appendix 11) – Fixed Route Service Policy**

*(For all Fixed Route Transit Providers)*

### *Sample*

#### ***Vehicle Assignment Policy***

##### ***Expressed in Writing***

Vehicles will be assigned to the South, North and East depots such that the average age of the fleet serving each depot does not exceed “x” years. Low-floor buses are deployed on frequent service and other high-ridership lines, so these busses carry a higher share of ridership than their numerical proportion of the overall bus fleet. Low-floor buses are also equipped with air conditioning and automated stop announcement systems.

All rail cars are equipped with air conditioning, and high-floor rail cars are always paired with a low car to provide accessibility.

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 30-foot buses rather than the 40-foot buses. Some routes requiring tight turns on narrow streets are operated with 30-foot rather an 40-foot buses.

#### ***Transit Amenities Policy***

##### ***Expressed in Writing***

Installation of transit amenities along bus routes are based on the number of passenger boardings at the stops along those routes.

## **(Appendix 12) – MPO Demographic Data, Analysis and Procedures**

*(For MPOS)*

### *Sample*

In addition to the required Title VI items 1-8 (and items 10 and 11 if the MPO is a provider of fixed route public transportation), the following additional elements are included and/or attached:

- a. A demographic profile of the metropolitan area that includes identification of the locations of minority populations in aggregate
- b. A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- c. Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO.
- d. Analysis of the impacts identified in (c) that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.