



5310 Subrecipient Title VI Workshop

December 2021



Agenda

- Title VI Introduction
- Title VI Requirements
- Title VI Plan Approval
- Questions

Title VI Introduction

- What is Title VI?
 - Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving federal assistance.
 - FTA subrecipients are required to comply with Title VI provisions of Circular 4702.1B
 - Title VI plans should be updated at least every 3 years

Title VI Requirements

- Public Notice
- Complaint Procedures
- Complaint Form
- Investigations, complaints, and lawsuits
- Demographics of service area
- Public Participation Plan
- Language Assistance Plan
- Transit-related Non-elected Committees and Councils
- Title VI Equity Analysis

Public Notice

- Must include:
 - A statement that the organization operates its programs without regard to race, color, or national origin
 - Description on how to file a complaint with contact information
 - Safe harbor languages
 - A statement that language assistance is available upon request with contact information

Public Notice Continued

- The public notice must be posted on the organization's website
- The public notice must also be posted in the organization's main office
- STA will require proof that these notices are posted for the public

Sample Public Notice – STA 2020 Title VI Plan (pg. 8)

Title VI Notice to the Public

STA posts the agency's Title VI Notice on the STA website, on transit vehicles, and in public areas including the Spokane Transit Plaza, and the reception area of the STA Administration Center. The Title VI Notice describes one's rights under Title VI. It contains information on how to seek information in another language and is translated into the three most prevalent LEP languages. The contents of the notice are as follows, and on the notice are also written in the safe harbor languages:

Non-Discrimination Notice

In accordance with Title VI of the Civil Rights Act of 1964, Spokane Transit does not discriminate on the basis of race, color, or national origin. For more information on your rights or the procedures to file a discrimination complaint, or to request this information in an accessible format, please contact the STA Ombudsman at (509) 325-6094 (TTY Relay 711), or STA's Administrative Office, 1230 West Boone Avenue, Spokane, WA 99201.

If information is needed in another language, contact (509) 325-6094.

Si necesita información en otro idioma, comuníquese al (509) 325-6094.

Для получения информации на другом языке звоните по тел. (509) 325-6094.

Nếu quý vị cần thông tin bằng một ngôn ngữ khác, xin vui lòng gọi số (509) 325-6094.

Sample Public Notice – FTA Circular 4702.1B Appendix B (pg. 77)

SAMPLE Title VI Notification to the Public

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 800-555-1212, (TTY 800-555-1111); email title.vi.complaint@city.ca.us; or visit our administrative office at 1234 Center Street, City of USA, State 11111. For more information, visit www.city.ca.us
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, contact 800-555-1212.
 - *MAKE SURE THE SENTENCE ABOVE IS ALSO PROVIDED IN ANY LANGUAGE(S) SPOKEN BY LEP POPULATIONS THAT MEET THE SAFE HARBOR THRESHOLD*

Complaint Procedures

- Instructions on how to file a complaint
 - Contact information for ways to submit a complaint (postal address, email address, phone number)
 - Time frame for when the organization will respond to the complaint
 - Time frame for how long the complainant has to respond to requests
 - How the complainant will be informed of the investigation results
 - A statement that assistance is available upon request, along with contact information

Sample Complaint Procedures – STA 2020 Title VI Plan (pg. 8)

Title VI Complaint Procedures

The following is STA's published complaint procedure in English, Spanish, Russian, and Vietnamese:

Title VI Discrimination Complaint Procedure

Title VI of the 1964 Civil Rights Act requires 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."

Spokane Transit does not discriminate in the provision of service on the basis of race, color, and national origin.

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by Spokane Transit Authority (STA) may file a Title VI complaint by completing and submitting Spokane Transit's Title VI Complaint Form. The form must be complete for STA to investigate. Spokane Transit Authority does not investigate complaints received more than 180 days after the alleged incident.

For more information on STA's nondiscrimination obligations, or to get a copy of Title VI Complaint Procedures and a Form to file a discrimination complaint, contact:

STA Ombudsman
1230 West Boone Avenue
Spokane, WA 99201
(509) 325-6094
TTY Relay 711

Sample Complaint Procedures – FTA Circular 4702.1B Appendix C (pg. 79)

SAMPLE Title VI Complaint Procedure

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 Transit Authority (hereinafter referred to as “the Authority”) may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The City of USA Transit Authority investigates complaints received no more than 180 days after the alleged incident. The Authority will process complaints that are complete.

Once the complaint is received, the Authority 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 Authority has XX days to investigate the complaint. If more information is needed to resolve the case, the Authority 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 Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or 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. An 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.

Complaint Form

- Complaint form
 - Include the form with the procedures
 - Field for complainant's name and contact information
 - Field for type of protected class
 - Field for date of alleged discrimination
 - Field for a narrative or description of the alleged discriminatory act or behavior
 - Instructions for how to submit the form

Sample Complaint Form – STA 2020 Title VI Plan (pg. 11-12)

Title VI Complaint Form

Below is STA's official Title VI Complaint Form in English. Complaint forms in the three safe harbor languages (Spanish, Russian and Vietnamese) are available upon request:

Spokane Transit Title VI Complaint Form

Spokane Transit does not discriminate in the provision of service on the basis of race, color, and national origin.

Should you require any assistance in completing this form, please let us know.

Complete and return this form to:

Ombudsman

Spokane Transit

1230 West Boone Avenue

Spokane, WA 99201

(Please Type or Print Clearly)

1. Complainant's name _____

2. Address _____

3. City, State, Zip code _____

4. Home phone number (____) _____ (Cell or mobile number) (____) _____

5. Email address _____

6. Are you the Complainant? ____ Yes ____ No

If no, Your name _____

Relationship to the Complainant _____

Phone (____) _____ Cell (____) _____ Email _____

Does the Complainant know you are filing this complaint? ____ Yes ____ No

7. Which of the following best describes the reason you believe the alleged discrimination took place? Select all that apply. Was it because of your:

a. Race ☐

b. Color ☐

c. National Origin ☐

8. Date of alleged discrimination (month/day/year) _____

9. In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible. Please use the back of this form if additional space is required.

10. Please give the name, mailing address, home phone number, and cell phone number for anyone who witnessed the alleged discrimination.

11. What would you consider an appropriate resolution to your complaint?

12. Have you filed this complaint with any other agency? ____ Yes ____ No

Agency Name _____

Agency Contact Person/Phone _____

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

Complainant's Signature _____

Date (month/day/year) _____

Within 15 working days of receiving the completed complaint, STA will acknowledge receipt of the complaint in writing. The letter will include information about the investigative steps to be taken and a timeline for resolution. If additional information is needed from the complainant, STA will request that information be provided in writing to append to the original complaint. A final letter of resolution will be sent to the complainant on completion of the investigation.

Upon request, alternative formats of this document will be produced for people who are disabled.
Call (509) 325-6094 TTY 711 or email ombudsman@spokanetransit.com

Sample Complaint Form – FTA Circular 4702.1B Appendix D (pg. 81-82)

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: City of USA Title VI Coordinator 1234 Center Street City of USA, State 11111		

Investigations, Complaints, and Lawsuits

- Record or log of any Title VI investigation, complaint, or lawsuit
 - Date
 - Summary of allegations
 - Status of investigation, complaint, or lawsuit
 - Actions taken and final findings
- Report any Title VI investigation, complaint, or lawsuit in the 5310 Quarterly Progress Reports

5310 Subrecipient Quarterly Progress Report – Reporting Title VI Complaints (pg. 3)

2. Complaints & Lobbying

A. Report EEO complaints, Title VI complaints, and ADA complaints. Describe complaint(s), investigation activities, and resolution.

Sample List of Title VI Investigations, Complaints, and Lawsuits – STA 2020 Title VI Plan (pg. 14)

Table 1 List of Title VI Investigations, Complaints, and Lawsuits

	Date	Summary – Basis of Complaint	Status	Action(s) Taken
Lawsuit – Sway v. Spokane Transit Authority, et. al.	02/08/17	A Paratransit customer filed a lawsuit alleging that Spokane Transit had discriminated against her based on her race, in addition to other claims. The claims of racial discrimination were dismissed with prejudice on December 15, 2017. All remaining claims in the case were dismissed on October 11, 2018. The rider filed an appeal, and the Ninth Circuit Court of Appeals affirmed the dismissal of her claims on November 4, 2019. The rider filed a Petition for Panel Rehearing or Reconsideration on December 3, 2019 which the Ninth Circuit Court of Appeals unanimously denied on December 9, 2019.	Closed	None
Complaint	08/25/17	A fixed route rider alleged racial discrimination from drivers.	Closed	An investigation was conducted, including a review of audiovisual recordings. The complaint was unsubstantiated.
Complaint	06/27/18	An individual alleged that she was targeted by Transit Officers based on race.	Closed	An investigation was conducted including interviews and record review. The complaint was unsubstantiated.
Complaint	05/20/19	A homeowner alleged that a bus stop location in front of her home was selected because of her race.	Closed	An investigation was conducted including interviews and record review. The complaint was unsubstantiated.
Complaint	08/08/19	An individual alleged racial discrimination when asked for photo identification to use a credit card to make a pass purchase.	Closed	An investigation was conducted including interviews and record review. The complaint was unsubstantiated.

Sample List of Investigations, Complaints, and Lawsuits – FTA Circular 4702.1B Appendix E (pg. 83)

SAMPLE List of Investigations, Lawsuits and Complaints

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

Demographics of Service Area

- Use the most recent census data to identify the demographics of your service area including:
 - Minority populations
 - Language spoken at home
 - Income
- American Community Survey Link:
<https://www.census.gov/programs-surveys/acs>

Sample Demographic Table – STA 2020 Title VI Plan (pg. 17)

Table 2 Minority and Low-income Population Summary

2019 STA PTBA Population Estimate*	Census Estimate of PTBA Population	Census Estimate of PTBA Minority Population	Percent Minority	Census Estimate of PTBA Low-Income Population**	Percent Low-Income**
436,261	461,063	70,789	15.4%	69,581	15.6%

Source 2013-2017 ACS 5- Year Estimates

*Source: Washington State Office of Financial Management, Forecasting and Research Division

**The low-income population and percentage were calculated based upon the number of people who answered both questions regarding household size and household income in the 2013-2017 ACS 5-Year estimates (446,451).

Public Participation Plan

- Purpose
 - Describes proactive strategies and procedures to inform and engage the public of the available transportation program and efforts to reach low income, minority, and Limited-English Proficient (LEP) populations
- Summary of outreach efforts since last update
- Subrecipients may choose to adopt STA's Public Participation Plan (STA 2020 Title VI Plan pg. 27-36)

Sample Public Outreach Tools – STA 2020 Title VI Plan (pg. 29)

Table 5 Public Outreach Tools

Outreach Tool	Definition
Public Hearing	A meeting during which public testimony may be heard and formal action may be taken on any measure before the STA Board of Directors
Legal Notice	Public posting or advertising in newspapers to announce a legal action or intent
Display Ads in Newspaper	Paid advertisement in the newspaper to alert readers about an upcoming event or action
Website/Online Social Media	Updates to the website and social media are quick and efficient ways of getting notice to the public quickly
Mobile Device Alerts	Real-time information can alert customers to important real-time information
Signs	Signs on buses, at stop locations, and at transit centers can help to reach people who use transit services
Rider Alerts	Notifications of route, frequency, or other information that is of particular interest to riders
Direct Mailings	Mail sent to an affected group or area to educate, notify, or request input
Workshops/Open Houses/Town Halls	Types of meetings where staff and public interact and discuss various issues
Surveys (scientific and self-selected)	Surveying opinions and ideas can help public agencies understand how to better serve the constituency
On-board Information	Pamphlets and posters that alert riders to information
Displays at Transit Centers	Permanent or temporary displays at transit centers are able to reach a large number of system riders
SEPA	The public outreach requirements of Washington State's State Environmental Protection Act (SEPA) can be an effective tool for communicating with the public about proposed actions

Sample Communications and Public Input Principles – STA 2020 Title VI Plan (pg. 29)

Communications and Public Input Principles

These principles (Connect Spokane pages 72-73) describe the foundation for the policies found in this element:

1. Continuous Communication

Open, honest, early, and continuous communication with all stakeholders increases public confidence in STA.

Changes in STA's operations impact many stakeholders, both within and outside of the agency. For this reason, care should be taken to ensure all stakeholders are identified and remain well-informed.

2. Accountable

A public account of decisions made and responses to public input regarding these decisions increases STA's accountability to its customers.

Thorough recordkeeping helps to ensure a common understanding of decisions, policies, and responses. Sharing records with the public demonstrates the transparency with which STA conducts its business.

3. Accessible Information

Providing access and non-technical explanations of relevant reports, records, and documents demonstrates STA's commitment to transparency.

STA conducts its business in a fair, honest, and legal manner. For that reason, providing access to relevant documents broadens the public's perception of STA's high operating standards.

4. Two-way Communications

Consideration of the views of regulators, stakeholders, and the general public in making decisions demonstrates STA's commitment to fairness and equity.

Transit agencies exist to serve the community. To that end, community members have the right to share their views regarding transit service.

5. Timely

The provision of sufficient time for full public participation, including advance notice of activities and steps in the public process, demonstrates fairness and respect.

Scheduling events and the overall public process with an appreciation of today's busy lifestyles allows for the broadest public participation process possible.

6. Purposeful

Questions pertinent to issues under consideration should be answered by knowledgeable staff.

One can appreciate the frustration stemming from poorly-answered questions. Providing complete, accurate information increases the public's confidence in STA.

Sample Public Outreach Techniques for Title VI Populations – STA 2020 Title VI Plan (pg. 34)

Public Outreach Techniques for Title VI Populations

Depending on the project, STA may use a variety of different outreach techniques to engage Title VI populations. Some of these include:

- Providing information with meeting notices on how to request translation assistance
- Visualization techniques including maps and graphics to assist Title VI populations
- When multiple meetings are held for a single subject, efforts are made to use different meeting locations, days of the week, and times of the day
- Informing organizations within the community that work closely with low income and minority populations to inform the public of meetings, open houses, and other STA activities
- Published notices in minority newspapers
- Targeted ads on Facebook and Twitter
- On board rider survey to gather demographic data

Language Assistance Plan

- Purpose
 - Provide meaningful access to benefits, services, and information of the program for individuals who are Limited-English Proficient (LEP).
- Four Factor Analysis
 - Helps to determine if the subrecipient communicates effectively with Limited-English Proficient (LEP) populations.
 - Demographics – The number of LEP individuals eligible or likely to be served
 - Frequency – How often LEP individuals encounter the program
 - Importance – How the program affects people's lives
 - Resources and Cost – Funding available for LEP outreach
 - Include Results of Four Factor Analysis in your Title VI Plan

Language Assistance Plan Continued

- At a minimum, that LAP should include:
 - Results of the Four Factor Analysis
 - How language assistance services are provided
 - How notice is provided to LEP individuals about the availability of language services
 - How the LAP will be monitored, evaluated, and updated
 - How employees are trained to provide timely and reasonable language assistance
- Subrecipients may choose to adopt STA's Language Assistance Plan (STA 2020 Title VI Plan pg. 38-51)

Sample LEP Demographics – STA 2020 Title VI Plan (pg. 40-42)

Table 9 PTBA LEP Population by Census Tract

Census Tract	Population 5 Years and Over		
	Speak English less than "very well"		
	Total	Estimate	Percent
2	4,392	122	2.8%
3	4,610	86	1.9%
4	3,731	147	3.9%
5	3,127	13	0.4%
6	2,880	62	2.2%
7	4,249	24	0.6%
8	4,600	10	0.2%
9	6,011	56	0.9%
10	5,385	31	0.6%
11	3,204	14	0.4%
12	2,237	27	1.2%
13	3,171	73	2.3%
14	5,532	363	6.6%
15	4,952	189	3.8%
16	3,263	522	16.0%
18	2,475	105	4.2%
19	3,346	24	0.7%
20	3,722	49	1.3%
21	2,389	10	0.4%
23	5,292	12	0.2%
24	2,878	35	1.2%
25	8,000	88	1.1%
26	5,232	904	17.3%
29	2,636	129	4.9%
30	2,354	269	11.4%
31	4,402	273	6.2%
32	2,543	-	0.0%

Sample Translation Services – STA 2020 Title VI Plan (pg. 49)

Over 240 languages 24/7/365

TRUSTED MULTILINGUAL COMMUNICATION

Point to your language

Amharic	Hebrew	Portuguese
አማርኛ	עברית	Português
Arabic	Hindi	Punjabi
العربية	हिन्दी	ਪੰਜਾਬੀ
Bosnian (Serbo Croatian)	Hmong	Romanian
Bosanski	Hmoob	Română
Burmese	Italian	Russian
မြန်မာစာ	italiano	Русский
Cambodian	Japanese	Somali
ខ្មែរ	日本語	Soomaali
Canloneso	Karen	Spanish
廣東話	ကရင်	Español
Haitian Creole	Kirundi	Swahili
Kreyól Ayisyen	Ikirundi	Kiswahili
Farsi	Korean	Tagalog
فارسی	한국어	Tagalog
French	Laotian	Thai
Français	ລາວ	ภาษาไทย
French-Canadian	Mandarin	Tigrinya
français canadien	國語	ትግርኛ
German	Nepali	Urdu
Deutsch	नेपाली	اردو
Turkish	Polish	Vietnamese
Türkçe	Polski	Tiếng Việt

twitter.com/CTSLanguageLink
facebook.com/ctslanguageLink
Find us online: ctslanguageLink
Telephone: 1.800.208.2620

CTS languageLink
We speak your customer's language

Website Translation

The STA website is equipped with Google Translate software in order to assist LEP populations when navigating online. This software includes translation services for each of the Safe Harbor Languages listed in this plan.

- Website link: <https://language.link/>

Transit-related Non-elected Committees and Councils

- Identify if the organization has any transit-related, non-elected planning board, councils or committees
 - If yes, the Title VI Plan will need to include a table depicting the breakdown of the membership of those committees by race
 - Include a description of efforts to encourage the participation of minorities on such committees

Sample Table of Transit-related Non-elected Committees and Councils – STA 2020 Title VI Plan (pg. 94)

Table 27 Non-Elected Committees Minority Composition

Committee	Minority	Non-Minority
Citizen Advisory Committee	0	11
Paratransit Users Group	0	12
City Line Steering Committee	0	20

Sample Table of Transit-related Non-elected Committees and Councils – FTA Circular 4702.1B Appendix F (pg. 83)

SAMPLE Table Depicting Membership of Committees, Councils, Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%

Title VI Equity Analysis

- If your organization is planning a new facility, please contact STA for assistance as this may require a Title VI Equity Analysis
 - Storage facilities, maintenance facilities, operations centers, etc. will require an equity analysis
 - The analysis will determine if the new facility will have any adverse or disparate impacts
 - Ensures that the new location is not determined based on race, color, or national origin

Title VI Plan Approval

- Governing Body to approve final Title VI Plan
- Provide minutes, resolution, or other appropriate documentation
- Approved Title VI Plan must be signed and dated
- Submit to STA for review and approval
- Title VI Plans must be submitted to STA within 90 days of agreement execution – Reimbursements are not eligible until the Title VI Plan is approved by STA

Questions?



Thank You

Madeline Arredondo

Assistant Transit Planner

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