

ADOPTING CHANGES TO MID-COUNTY TRANSIT AUTHORITY'S
TITLE VI POLICY

At the meeting of the Board of Directors of Mid-County Transit Authority dba Town and Country Transit held on the 19th day of July 2017, the following resolution was adopted and RESOLVED, that Mid-County Transit Authority dba Town and Country Transit, has updated the following policy:

Title VI Policy

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Mid-County Transit Authority dba Town & Country Transit authorizes and directs the immediate adoption of the attached on its behalf.

for Mid-County Transit Authority
dba Town and Country Transit

ATTEST:

Signature on File

Signature on File

Henry Mores, Board President

Steve Anderson, Board Treasurer

Date: July 19, 2017

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

Mid-County Transit Authority dba Town and Country Transit (TACT) hereby certifies that, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. TACT will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 41702.1 and in compliance with the Department of Transportation's Title VI regulation, 49CFR Part 21.9
3. TACT will make it known to the public that those persons alleging discrimination on the basis of race, color or national origin as it relates to the provision or transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the grant applicant or recipient.

Signature on File

Tiffany Chaffee, Operations Manager

07/19/2017

Date



Mid-County Transit Authority dba Town and Country Transit Title VI Policy and Complaint Process

Mid-County Transit Authority dba Town and Country Transit (TACT) grants equal access to its programs and services to all citizens. This document serves to make citizens aware of their rights to such access, and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.

The Mid-County Transit Authority dba Town and Country Transit Title VI Policy and Complaint Process specify the process employed by TACT to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude TACT from attempting to resolve complaints informally, and these procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 requiring 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 subjected to discrimination under any program or activity receiving federal financial assistance". Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

TACT's Title VI Complaint and Investigation Procedures

These procedures apply to all external complaints relating to any program or activity administered by Mid-County Transit Authority dba Town and Country Transit (TACT) that prohibit discrimination on the grounds of race, color, or national origin.

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions,

has the right to file a complaint. Any person may file a complaint in writing alleging discrimination by communicating directly with the TACT Title VI Compliance Officer, 220 North Grant Ave. Kittanning, PA 16201. This individual has been designated by the Board of Directors of TACT as responsible for the review of the Grievance. A copy of the complaint will be forwarded to PennDOT's Bureau of Equal Opportunity as an informational item.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) or fact-finding investigation between the affected parties and TACT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file separate complaints.

1. A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. A TACT Title VI complaint form can be found at the end of this document. Individuals must submit a written complaint alleging discrimination in a sealed envelope directly to:
Title VI Coordinator
Town and Country Transit
220 North Grant Avenue
Kittanning, PA 16201
2. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to TACT Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and TACT's Title VI Coordinator will assist the complainant in completing a written statement.
3. When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail.
4. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

5. Within 15 business days from receipt of a complete complaint, TACT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the General Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of TACT's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When TACT does not have sufficient jurisdiction, the General Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
7. If the complaint has investigative merit, the General Manager or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the General Manager within 60 days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested
8. The General Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.
9. Confidentiality will be maintained throughout the processing and investigation of the complaint.
10. Complaints may be mailed to the following agencies:

Federal Transit Administration
Region 3
1760 Market Street Suite 500
Philadelphia, PA 19103-4124
(215) 656-7100 (telephone)
(215) 656-7260 (fax)

Title VI Specialist
Bureau of Equal Opportunity
PA of Department of Transportation
P. O. Box 3251
Harrisburg, PA 17105-3251
(717) 787-5891 (telephone)



Title VI Complaint Form

Instructions: If you would like to submit a Title VI Complaint to Town and Country Transit, please complete the form below and return to: TACT, Attention: Title VI Coordinator, 220 North Grant Avenue, Kittanning, PA 16201. For questions, please contact TACT at 724-548-8696 or email to tandctransit@tandctransit.com

| | |
|--|--|
| 1. Name (Complainant): | |
| 2. Phone: | 3. Home Address (street #, city, state, zip code): |
| 4. If applicable, the name of the person(s) who you believe discriminated against you: | 5. Date of the incident: |
| 6. Discrimination based on (please check all that apply): <div style="display: flex; justify-content: space-around; margin-top: 10px;"> Race Color National Origin </div> | |
| 7. Briefly explain what happened and how you feel you were discriminated against. Please include how you feel that others were treated differently than you. | |
| 8. Why do you believe these events occurred? | |

9. Is there any other information that you feel may be relevant to this investigation?

10. How can these issues be resolved to your satisfaction?

11. Please list any person(s) who we can contact for additional information or to support/clarify your complaint:

| | | |
|-------|----------|---------------|
| Name: | Address: | Phone Number: |
|-------|----------|---------------|

12. Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?

Yes No

If yes, circle all that apply:

Federal Agency Federal Court State Court

State Agency Local Agency

If filed at an agency and/or court, please provide information on a contact person at that Agency/Court:

| | | | |
|--------------|-----------------|----------|---------------|
| Agency/Court | Contact's Name: | Address: | Phone Number: |
|--------------|-----------------|----------|---------------|

Signature (Complainant):

Date of Filing:



Limited English Proficiency Policy Guidance

Introduction

The purpose of this Limited English Proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and Executive Order 13166.

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination against Persons with Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as TACT, and governments, private and non-profit entities, and sub recipients.

Limited English Proficiency Plan Summary

TACT has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to TACT services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining TACT's extent of obligation to provide LEP services, TACT conducted a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in TACT's service area who may be served or likely to encounter a TACT program, activity, or service; 2) the frequency with which LEP individuals come in contact with TACT services; 3) the nature and importance of the program, activity or service provided by TACT to the LEP population; and 4) the resources available to TACT and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible in TACT's service area who may be served or likely to encounter a TACT program, activity, or service.

For the purpose of this four factor analysis TACT defines its service area as Armstrong County, Pennsylvania. TACT examined the 2010 US Census report and, using Census data for TACT's service area, was able to determine that 187 of 68,409 people within TACT's service area age 5 and older spoke English less than "very well". This translates to 0.27 percent of the service area population, and indicates that there is currently not a need to develop a language implementation plan.

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

TACT assesses the frequency at which staff and drivers have or could

possibly have contact with LEP persons. This includes documenting phone inquiries and surveying drivers and customer service personnel. TACT has had no requests for interpreters and no requests for translated TACT documents. TACT staff and drivers have had very little to no contact with LEP individuals.

3. The nature and importance of the program, activity, or service provided by TACT to the LEP community.

There is no large geographic concentration of any one type of LEP individuals in TACT's service area. The overwhelming majority of the population, 99.7% of residents, speak English "very well". Therefore, for the most part, LEP individuals do not use TACT's services.

4. The resources available to TACT and overall costs

TACT assessed its available resources that could be used for providing LEP assistance. This included identifying costs associated with subscription to the Language Line service (www.language.com), the costs of additional translation services such as a professional interpreter on an as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations with which TACT could partner for outreach and translation efforts, and what level of staff training is needed. After analyzing the four factors, TACT developed the plan outlined in the following section for assisting persons of limited English proficiency at a low cost.

Limited English Proficiency Plan Outline

How to Identify an LEP Person who Needs Language Assistance

1. Below are tools to help identify persons who may need language assistance:
 - a. Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
 - b. When TACT sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee.

- To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- c. Have the Census Bureau's "I Speak" cards at the workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available TACT's Transit Terminal; and
 - d. Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

Language Assistance Measures

1. TACT has implemented the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in TACT's service area:
 - a. Census Bureau's "I Speak" cards are located in the Transit Terminal and distributed to all drivers and staff.
 - b. TACT's Website has been redesigned to include a translator at the bottom of the page (Google translate)
 - c. When an interpreter is needed, in person or on the telephone, staff will utilize the Propio, Language Line service.

TACT Staff Training

1. All TACT staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of TACT staff orientation process for new hires. Training topics are listed below:
 - a. Understanding the Title VI policy and LEP responsibilities;
 - b. What language assistance services TACT offers;
 - c. Use of LEP "I Speak" cards;
 - d. How to use the Language Line interpretation and translation services;
 - e. Documentation of language assistance requests;
 - f. How to handle a Title VI and/or LEP complaint

Outreach Techniques

1. TACT does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that TACT will incorporate when and/or if the need arises for LEP outreach:
 - a. If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
 - b. When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates as "A *[insert language(s)]* translator will be available".
 - c. Key print materials will be translated and made available at TACT's Transit Terminal, on board vehicles and in communities when a specific and concentrated LEP population is identified

Monitoring and Updating the LEP Plan

1. This plan is designed to be flexible and is one that can be easily updated. At a minimum, TACT will follow the Title VI Program update schedule for the LEP Plan.

Each update should examine all plan components such as:

- a. How many LEP persons were encountered?
- b. Were their needs met?
- c. What is the current LEP population in TACT's service area?
- d. Has there been a change in the types of languages where translation services are needed?
- e. Is there still a need for continued language assistance for previously identified TACT programs?
- f. Are there other programs that should be included?
- g. Have TACT's available resources, such as technology, staff, and financial costs changed?

- h. Has TACT fulfilled the goals of the LEP Plan?
 - i. Were any complaints received?
- 2. As part of the monitoring and update plan, TACT will track the activity of usage of its services by LEP persons and requests for assistance from office and driver staff, and record information from annual passenger surveys which will identify the language spoken by passengers and their need for assistance. TACT will also maintain communication with municipalities in its service area at a minimum on an annual basis to identify LEP individuals who may have moved into a part of TACT's service area and may require assistance. These municipalities will also be instructed to contact TACT with any requests that they may receive for language assistance.

Dissemination of TACT's Limited English Proficiency Plan

TACT includes the LEP plan on the TACT website (www.tandctransit.com) together with its Title VI Policy and Complaint Procedures. TACT's Notice of Rights under Title VI to the public is available at TACT's Transit Terminal and on all vehicles. Any person, including social service, non-profit, and law enforcement agencies, along with other community partners with Internet access will be able to access the plan. Copies of the LEP Plan will be provided upon request. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to TACT's Title VI Coordinator.

Title VI Coordinator
Town and Country Transit
220 North Grant Avenue
Kittanning, PA 16201
724-548-8696 voice
724-545-3356 fax
Email: tandctransit@tandctransit.com

Monitoring Sub-recipients for Title VI Compliance

TACT does not have sub-recipients.

Non-elected committees and councils

TACT is governed by a volunteer Board of Directors comprised of seven individuals appointed to unlimited rotating three-year terms by member municipalities of the Municipal Authority including the Boroughs of Applewold, Ford City, Kittanning, Manorville, and West Kittanning, and East Franklin and Manor Townships. TACT does not appoint its own Board members.

Title VI Equity Analysis for Construction Projects

There have been no facilities constructed since 1980.

Documentation of Review and Approval of Title VI Program

The Title VI Program has been reviewed and approved by TACT's Board of Directors at its January 18, 2017 meeting. A copy of the resolution is provided at the end of this document.



List of Title VI Investigations/Complaints/Lawsuits

| | |
|------------|------|
| FY 2012-13 | None |
| FY 2013-14 | None |
| FY 2014-15 | None |
| FY 2015-16 | None |

TACT Title VI Service Standards

It is the intent of Mid-County Transit Authority dba Town and Country Transit (TACT) to ensure full compliance with Title VI Regulations. The information below has been reviewed and adopted as part of the Title VI program by TACT's Board of Directors.

Vehicle Load Standard

The load factor is generally defined as how crowded a public transit vehicle must be before additional service is considered. Load factors are monitored to determine whether additional service or vehicles are needed on routes that regularly meet or exceed vehicle load factors. The following vehicle load calculations will be used for vehicles assigned to fixed route service:

| Bus # | Year | Make / Model | Seating Capacity | Load Factor | Max Capacity |
|-------|------|---------------|------------------|-------------|--------------|
| 109 | 2012 | Ford E450 BOC | 16 | 1.5 | 24 |
| 110 | 2012 | Ford E450 BOC | 16 | 1.5 | 24 |
| 112 | 2013 | Ford E450 BOC | 16 | 1.5 | 24 |
| 113 | 2017 | Ford E450 BOC | 18 | 1.5 | 27 |
| 114 | 2017 | Ford E450 BOC | 18 | 1.5 | 27 |
| 115 | 2017 | Ford E450 BOC | 18 | 1.5 | 27 |

Service Standards for Vehicle Headway

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. Headways and frequency of service are general indications of the level of service provided along a route. Vehicle headway is one component of the amount of travel time expended by a passenger to reach his/her destination. TACT's headways are one hour on all routes.

Service Standards for On-time Performance

Dependability is examined in terms of schedule adherence, which measures the difference between scheduled time and actual time that a transit vehicle passes a particular location.

The schedule adherence standard (“on-time performance”) consists of two parts: the definition of “on-time”; and the proportion of trip that operate within the “on-time” range. For the purpose of assessing dependability, “on-time” is established as zero (0) minutes early to ten (10) minutes late for fixed route service.

The standard for schedule adherence is that ninety (90) percent of trips throughout the service day operate on-time.

Service Standard for Service Availability

TACT provides service that is within $\frac{3}{4}$ -mile of all residents of Kittanning, West Kittanning, Applewold, Manorville and Ford City boroughs. TACT provides service that is within $\frac{3}{4}$ -mile of the population centers of Manor and East Franklin townships, which are largely rural in character.

Service Standards for Transit Amenities

There is at least one public or private transit wait shelter on each of TACT’s fixed routes.

Service Standards for Vehicle Assignment

TACT’s fixed route fleet consists of six body-on-chassis small transit vehicles. Vehicles are rotated between runs, and each run provides service on all routes.