

# **City of Bath CityBus Title VI Plan**

## **Non-Discrimination in the Federal Transit Program**

### **Introduction**

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. All recipients and subrecipients of Federal Transit Administration (FTA) funds must ensure that programs, policies and activities comply with FTA Title VI regulations.

To provide recipients with specific guidance, FTA published Circular 4702.1B, October, 2012 ([http://www.fta.dot.gov/legislation\\_law/12349\\_14792.html](http://www.fta.dot.gov/legislation_law/12349_14792.html)). The instruction provided in the circular is intended to ensure recipients meet the Title VI requirements and appropriately integrate them into FTA-funded programs throughout each state.

To meet all Title VI requirements, FTA-Funded programs must submit to the Maine Department of Transportation (MaineDOT) a Title VI plan that exhibits policy adoption, public outreach and involvement procedures and complaint procedures. Pursuant to MaineDOT's Title VI Plan, Subrecipients of FTA dollars through MaineDOT are required to provide a Title VI Plan to MaineDOT by October 1, 2015. Following that submission, Title VI plans will be due every three years on the first of October. Plans will include or reference the following information:

- New signed Title VI Assurances
- A designated Title VI Coordinator responsible for Title VI compliance
- Appendix A & E included in contracts
- Title VI Complaint Process
- Four Factor Analysis
- LEP Plan
- Public Participation Plan

## **Title VI Assurances**

City of Bath CityBus affirms:

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms “programs or activities” to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
2. City of Bath CityBus is a public non-profit entity. It is the policy of City of Bath CityBus to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.
3. The City of Bath CityBus Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.
4. City of Bath CityBus will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.
5. The Agency recognizes the need for annual Title VI training for Agency personnel. Signed:



\_\_\_\_\_  
Title:

10/22/2015

\_\_\_\_\_  
Date

## **MaineDOT Compliance/Monitoring Review and Training**

City of Bath CityBus agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process. City of Bath CityBus agrees to participate in training that includes Title VI and its requirements.

## **Certification and Assurance Submission**

City of Bath CityBus agrees to submit the annual Title VI assurance to MaineDOT as part of the annual Certification and Assurance submission.

## **Designated Title VI Coordinator**

The designated Title VI Coordinator City of Bath CityBus is Andrew H. Deci, Director of Planning & Development for the City of Bath.

## **Agency Subcontracts**

City of Bath CityBus agrees to include in all contracts Appendices A and E of the Maine Department of Transportation FTA Title VI Nondiscrimination Plan

## **Title VI Complaint Procedures**

MaineDOT investigates and tracks Title VI complaints filed with MaineDOT against subrecipients.

City of Bath CityBus has developed procedures for investigating and tracking Title VI complaints filed against it and has made those procedures for filing a complaint available to the public. The City of Bath CityBus' complaint procedure is outlined below:

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by City of Bath CityBus may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form. City of Bath CityBus investigates complaints received no more than 180 calendar days after the alleged incident. City of Bath CityBus will process complaints that have completed all elements of the complaint form.

Once the complaint is received, City of Bath CityBus will review it to determine whether or not the agency has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by City of Bath CityBus.

City of Bath CityBus has one business week to investigate the complaint. If more information is needed to resolve the case, City of Bath CityBus may contact the complainant. The complainant has 1 business week 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 one business week, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, City of Bath CityBus will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.
2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident, and explains if 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 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, City of Bath CityBus will forward appeals to the MaineDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by MaineDOT to resolve the complaint.

A person may also file a complaint directly with the Maine Department of Transportation at:

Maine Department of Transportation  
Attn: Title VI Coordinator  
16 State House Station  
Augusta, Maine 04333

A person may also file a complaint directly with the Federal Transit Administration at:

FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590

### **Title VI Informal Complaint Policy**

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by City of Bath CityBus' identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log. If the complaint cannot be resolved informally, City of Bath CityBus' identified Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

### **Title VI Log of Complaints/Lawsuits, etc.**

City of Bath CityBus will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved.

### **Title VI Notice to Beneficiaries**

City of Bath CityBus will provide information to the public regarding City of Bath CityBus' obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, City of Bath CityBus shall disseminate this information to the public by posting the notice on its website (if available) and in local media. City of Bath CityBus will document where and when this information is posted.

City of Bath CityBus will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

**The City of Bath and the CityBus are committed to ensuring that no individual or organization is excluded from participation in, denied the benefits of their programs, activities or services, or subject to discrimination on the basis of race, color, religion, sex or gender, pregnancy, national origin, ethnicity, age, marital status, veteran status, mental or physical disability, sexual orientation, gender identity or any other characteristic protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Individuals or organizations who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color or national origin may submit a complaint to the U.S. Department of Transportation via the Federal Transit Administration's Office of Civil Rights.**

**Mail: Attention: Title VI Program Coordinator  
East Building, 5th Floor - TCR1200  
New Jersey Ave., SE Washington, DC 20590**

**If you have a suggestion, complaint, or compliment about the routes, operations, or operators of the CityBus Service, or believe you are subject to unfair competition, please direct your information to:**

**Andrew H. Deci  
Director of Planning & Development  
City of Bath  
55 Front Street  
Bath, ME 04530  
Email: [adeci@cityofbath.com](mailto:adeci@cityofbath.com)  
Phone: 207-443-8363  
TDD: 207-443-8368**

**Once a suggestion or complaint is filed, the staff will investigate your complaint and follow-up with you within one business week.**

The Complaint Procedure is located at 55 Front Street, Bath, Maine 04530 or online at <http://www.cityofbath.com/CityBus/>.

## **Title VI Poster**

City of Bath CityBus will provide a poster to meet the requirements listed below and will provide updates as required. City of Bath CityBus will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address
- For more information, visit <http://www.cityofbath.com/CityBus>
- FTA and MaineDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed; 207/443-8363.

## **Limited English Proficiency**

### **Four Factor Analysis**

City of Bath CityBus is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, City of Bath CityBus assures that no person shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any FTA service, program, or activity.

1. Indicate the number or proportion of LEP persons eligible to be served or likely to be encountered by the program.

*Based on information contained in MaineDOT's FTA Title VI Plan, dated February, 2015, Maine has a relatively low percentage of people who don't speak English very well. There are only four languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold: Spanish or Spanish Creole, French, Chinese and African languages.*

- a. Describe how LEP persons interact with the Agency.

*LEP persons can potentially interact with City of Bath CityBus when they telephone the agency, when they board or exit a transit vehicle, or when they attend a meeting sponsored by City of Bath CityBus.*

- b. Identify LEP communities by language group.

*There are no known LEP communities in City of Bath CityBus' service area.*

- c. Identify whether LEP persons are underserved by the Agency service due to language barriers.

*City of Bath CityBus has no data that suggests that LEP populations are underserved in our programs and services.*

2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:

- a. Buses.

*City of Bath CityBus has no data that suggests that LEP populations are using its buses.*

- b. Public meetings.

*City of Bath CityBus has no data that suggests that LEP populations are attending its meetings.*

- c. Customer service interactions.

*There have been no customer service interactions with LEP persons during the past three years.*

- d. Surveys.

*City of Bath CityBus has no data that suggests that LEP populations have participated in any customer surveys during the past three years.*

3. Describe the service and the nature of importance of the service (narrative) to the LEP population.

- a. Participate in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities especially those with LEP needs.

*City of Bath CityBus' buses are accessible to persons with disabilities, but City of Bath CityBus has no data that suggests that seniors and people with disabilities are part of Maine's LEP population.*

- b. Include special language assistance for public meetings.

*Should the need arise, City of Bath CityBus can utilize translation services identified in MaineDOT's FTA Title VI Plan. However, during the past three years, there have been no LEP persons requesting the use of these services.*

4. Indicate the resources available to Agency for LEP outreach, as well as the costs associated with that outreach.

*If the need for translation services arises, City of Bath CityBus can utilize one or more of the translation services identified in MaineDOT's FTA Title VI plan at a cost of approximately \$50 - \$65/hour.*

### **Language Assistance Plan**

Following completion of the Four Factor Analysis, City of Bath CityBus assures that based on the results of the Analysis, a Language Assistance Plan will be created. The City of Bath CityBus Language Assistance Plan includes the following:

1. Results of the Four Factor Analysis, including a description of the LEP Population(s) served.

*Based on information contained in MaineDOT's FTA Title VI Plan, dated February, 2015, Maine has a relatively low percentage of people who don't speak English very well. There are only four languages in which the number of persons who speak English less than very well exceed the 1,000 person/5% threshold: Spanish or Spanish Creole, French, Chinese and African languages. There are no known LEP communities in City of Bath CityBus' service area.*

2. A description of how (Agency Name) provides language assistance services by language. .

*Should the need arise, City of Bath CityBus can utilize translation services identified in MaineDOT's FTA Title VI Plan.*

- a. Vital written documents include Title VI Complaint Form, Notice to Beneficiaries, and other documents that provide access to services.

*Within the past three years, there have been no requests by LEP persons to have these documents provided in another language.*

3. A description of how (Agency Name) provides notice to LEP persons about the availability of language assistance.

*City of Bath CityBus also posts Title VI posters in its offices and at other prominent places.*

4. A description of how (Agency Name) monitors, evaluates and updates the language assistance plan.

*On a yearly basis, City of Bath CityBus' title VI Coordinator will review the Title VI plan in conjunction with Census data, FTA requirements, complaints and findings, and any developments that would impact the plan including complaints and requests for language assistance services. Based on this review, City of Bath CityBus' Language Assistance Plan will be updated accordingly.*

5. A description of how (Agency Name) trains employees to provide timely and reasonable assistance.



*City of Bath CityBus will participate in LEP training sessions provided by MaineDOT at Maine Transit Association meetings and will also review on an annual basis MaineDOT's training document titled "How to Work with a Telephone Interpreter" and any other Title VI documents on MaineDOT's website.*

### **Staff Ongoing Title VI Training Process/Description**

All City of Bath CityBus staff will be trained on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI complaint form
- Complaint log
- LEP (Four Factor Analysis and Language Assistance Plan)
- Title VI brochure

City of Bath CityBus will utilize MaineDOT staff to assist with trainings. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

### **Public Participation Plan**

City of Bath CityBus will work with MaineDOT staff to identify targeted minorities within the service area. MaineDOT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the City of Bath CityBus service area. City of Bath CityBus will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. City of Bath CityBus will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at MaineDOT's request.

City of Bath CityBus will coordinate with the regional mobility manager to ensure that City of Bath CityBus is included in regional planning efforts and that regional planning efforts include outreach to targeted populations within the City of Bath CityBus service area.

City of Bath CityBus will provide a summary to MaineDOT of all outreach efforts upon request or prior to future plan submittals and review.

City of Bath CityBus recognizes that future funding for new or revised service requires documentation of the above efforts.

**APPENDIX A:**

**Table Depicting Minority Representation on Committees and Councils Selected by the Recipient**

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies—the membership of which is selected by the recipient—must provide a table depicting the membership of those committees broken down by race, and a description of efforts made to encourage the participation of minorities on such committees.

*Sample Table Depicting Membership of Committees, Councils, Broken Down by Race*

<b>Body</b>	<b>Caucasian</b>	<b>Latino</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>
City of Bath Parking & Transportation Committee	6	0	0	0	0

## Appendix B

### Public Notice/Poster

In accordance with the Civil Rights Act of 1964, City of Bath CityBus operates its programs and services without regard to race, color or national origin. Any person who believes she or he has been aggrieved by any unlawful discriminatory practices under Title VI may file a complaint with the Maine Department of Transportation or the Federal Transit Administration.

For more information on City of Bath CityBus' civil rights program and the procedures to file a complaint, visit our website at:

City of Bath CityBus  
55 Front Street, Bath, Maine 04530  
<http://www.cityofbath.com/CityBus>  
207/443-8363

Language translation services available upon request.  
Services de traduction langue disponibles sur demande  
Servicios de traducción disponibles bajo petición.  
要求提供的语言翻译服务。

Lugha ya tafsiri huduma inapatikana juu ya ombi.  
Ladenan panarjamahan Basa aya kana paménta.

خدمات الترجمة اللغة متاحة عند الطلب

## Appendix C

### City of Bath CityBus External Discrimination Complaint Form

(Title VI/Nondiscrimination and ADA/Section 504 Complaints)

Name	Phone	Name of Person(s) That Discriminated Against You
Address	Location and Position of Person (If Known)	
City, State, Zip	City, State, Zip	
Agency involved	Date of Alleged Incident	
Discrimination Because of: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability	What Remedy are you requesting?	
Explain As Briefly And Clearly As Possible What Happened And How You Were Discriminated Against. Indicate Who Was Involved. Be Sure To Include How Other Persons Were Treated Differently Than You. Also Attach Any Written Material Pertaining To Your Case.		
Signature	Date	

**Please Mail Complaint to:**

City of Bath CityBus  
55 Front Street, Bath, Maine 04530