

Pike County Transportation

Title VI Program

Adopted 9/15/2021

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Title VI Policy and Complaint Process

The Pike County Transportation Authority 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.

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.

PIKE COUNTY TRANSPORTATION'S TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES

These procedures cover all complaints filed under Title VI Of The Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by the Pike County Transportation. 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) between the affected parties and Pike County Transportation 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 Pike County Transportation Title VI complaint form can be obtained from the Pike County Transportation office and on the Pike County website. Pike County Transportation encourages individuals to submit Title VI complaints in writing using this form and mailing it to:
Title VI Coordinator
Pike County Transportation
506 Broad Street
Milford, PA 18337
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 the Pike County Transportation Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Pike County Transportation Title VI Coordinator will assist the complainant in completing a written statement.
3. When a complaint is received, Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail or hand delivery.

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, Pike County Transportation 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 Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail or hand delivery 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 Pike County Transportation's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. When Pike County Transportation does not have sufficient jurisdiction, the Director 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 Director 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 Director 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 Director or his/her authorized designee will issue letters of finding to the complainant and Respondent within 90 days from receipt of the complaint.
9. If the Complainant is dissatisfied with Pike County Transportation's resolution of the complaint, he/she has the right to file a complaint in the time allotted by law with:

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

POSTING OF PUBLIC NOTICE

Public notice of Title VI Policy and Complaint Procedures is posted in each vehicle and at the Pike County Transportation Administrative Offices, 506 Broad Street, Milford, PA 18337.

Title VI Complaint Form

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.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint:

Please print CLEARLY:

Section I:	
Name:	
Address:	
City, State, Zip Code:	
Telephone Number: (home)	(cell)
Accessible Format Requirements? Large Print TDD Audio Tape	
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 you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:	

Section III:	
I believe the discrimination I experienced was based on (check all that apply):	
_____ race	_____ color _____ National Origin
What was the date of the 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?

Section V:
Have you filed a Title VI complaint with any other Federal, State, or local agency, or with any Federal or State Court? YES NO
If YES, check all that apply:
_____ Federal Agency: _____
_____ Federal Court: _____
_____ State Court: _____
_____ State Agency: _____
_____ Local Agency: _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____
Title: _____
Agency: _____
Address: _____
Phone: _____

Section VI:
Name of agency compliant is against: _____
Contact person: _____
Title: _____
Phone: _____

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

Signature and date required below:

 Your Signature Date

 Print your name

Please submit this form in person at the address below, or mail this form to:
Title VI Coordinator
Pike County Transportation
506 Broad Street
Milford, PA 18337

Public Participation Plan

Pike County Transportation strives to sustain the delivery of quality transportation service to the residents of Pike County.

The committee routinely reviews all transportation programs, to determine that each program area is meeting acceptable service standards and make recommendations for improvements.

In addition, when changes and/or fares are proposed, Pike County Transportation creates, collects, and evaluates input from these documents to aid in the decision making process.

Any Pike County resident may serve on the advisory committee. Pike County Transportation does not appoint its board members nor any other committee members. Participation is on a volunteer basis. The committee strives to maintain a broad-based mix of members from the public and private sectors. Membership is encouraged from consumers as well as agencies and organizations serving the elderly, disabled, and indigent.

The maximum size for the advisory committee is 15 members and must have a minimum membership of 9.

Limited English Proficiency Policy Plan

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 PIKE COUNTY TRANSPORTATION and governments, private and non-profit entities, and sub recipients.

Plan Summary

PIKE COUNTY TRANSPORTATION has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to PIKE COUNTY TRANSPORTATION 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 PIKE COUNTY TRANSPORTATION's extent of obligation to provide LEP services, PIKE COUNTY TRANSPORTATION 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 the PIKE COUNTY TRANSPORTATION service area who may be served or likely to encounter an PIKE COUNTY TRANSPORTATION program, activity, or service; 2) the frequency with which LEP individuals come in contact with PIKE COUNTY TRANSPORTATION services; 3) the nature and importance of the program, activity or service provided by the PIKE COUNTY TRANSPORTATION to the LEP population; and 4) the resources available to the PIKE COUNTY TRANSPORTATION and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analyses

- 1. The number or proportion of LEP persons eligible in the PIKE COUNTY TRANSPORTATION service area who may be served or likely to encounter a PIKE COUNTY TRANSPORTATION program, activity, or service.**

The PIKE COUNTY TRANSPORTATION examined the US Census report from 2015, and, using data from Census tracts in the PIKE COUNTY TRANSPORTATION service area was able to determine that approximately 93% of people within PIKE COUNTY TRANSPORTATION's service area age 5 and older spoke English as the primary or only language. Approximately 3.3% speak a language other than English.

- 2. The frequency with which LEP individuals come in contact with a PIKE COUNTY TRANSPORTATION program, activity, or service.**

PIKE COUNTY TRANSPORTATION 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. PIKE COUNTY TRANSPORTATION has had no requests for interpreters and zero requests for translated PIKE COUNTY TRANSPORTATION documents. PIKE COUNTY TRANSPORTATION 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 the PIKE COUNTY TRANSPORTATION to LEP community.**

There is no large geographic concentration of any one type of LEP individuals in the PIKE COUNTY TRANSPORTATION service area. The overwhelming majority of the population, 96.1% of residents speaks English as their primary language. Therefore, for the most part, LEP individuals do not use PIKE COUNTY TRANSPORTATION's services. While none of these students have ever required language assistance, PIKE COUNTY TRANSPORTATION's services are very important to these individuals in order to provide access to shopping and leisure activities outside of the Allegheny College Campus.

- 4. The resources available to PIKE COUNTY TRANSPORTATION and overall costs**

PIKE COUNTY TRANSPORTATION assessed its available resources that could be used for providing LEP assistance. This included identifying costs associated with subscription to the Language Line service, 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 support, taking an inventory of available organizations that PIKE COUNTY TRANSPORTATION could partner with for outreach and translation efforts, and what level of staff training is needed. After analyzing the four factors, the PIKE COUNTY TRANSPORTATION 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 a LEP Person Who Needs Language Assistance-

Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When PIKE COUNTY TRANSPORTATION sponsored meetings 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;
- 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

PIKE COUNTY TRANSPORTATION has or will implement 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 the PIKE COUNTY TRANSPORTATION service area:

- PIKE COUNTY TRANSPORTATION's Website has been redesigned to include a translator software program which is able to be used at the bottom of the webpage.
- When an interpreter is needed, in person or on the telephone, staff will utilize the Language Line Service.

PIKE COUNTY TRANSPORTATION Staff Training

All PIKE COUNTY TRANSPORTATION staff will be made available a copy of the LEP Plan and will be educated on procedures to follow. This information will also be part of the PIKE COUNTY TRANSPORTATION staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint

Outreach Techniques

PIKE COUNTY TRANSPORTATION 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 PIKE COUNTY TRANSPORTATION will incorporate when and/or if the need arises for LEP outreach:

- 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.

- Key print materials will be translated and made available at the PIKE COUNTY TRANSPORTATION Administration facility and in communities when a specific and concentrated LEP population is identified

Monitoring and Updating the LEP Plan

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

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in PIKE COUNTY TRANSPORTATION service area?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified PIKE COUNTY TRANSPORTATION programs? Are there other programs that should be included?
- Have PIKE COUNTY TRANSPORTATION's available resources, such as technology, staff, and financial costs changed?
- Has PIKE COUNTY TRANSPORTATION fulfilled the goals of the LEP Plan?
- Were any complaints received?

As part of the monitoring and update plan, PIKE COUNTY TRANSPORTATION will track the activity of usage of its services by LEP persons and requests for assistance from Customer Service and Operator staff, and record information from passenger surveys which will identify the language spoken by passengers and their need for assistance. PIKE COUNTY TRANSPORTATION will also maintain communication with municipalities in its service area to identify LEP individuals who may have moved into a part of PIKE COUNTY TRANSPORTATION's service area and may require assistance. These municipalities will also be instructed to contact PIKE COUNTY TRANSPORTATION with any requests that they may receive for language assistance.

Dissemination of the PIKE COUNTY TRANSPORTATION Limited English Proficiency Plan

PIKE COUNTY TRANSPORTATION includes the LEP plan on the PIKE COUNTY TRANSPORTATION website (www.pikepa.org) together with its Title VI Policy and Complaint

Procedures. PIKE COUNTY TRANSPORTATION's Notice of Rights under Title VI to the public is available in the PIKE COUNTY TRANSPORTATION Administration facility lobby area.

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 the PIKE COUNTY TRANSPORTATION Title VI Coordinator.

PIKE COUNTY TRANSPORTATION Human Resources, Title VI Coordinator
506 Broad St
Milford, PA 18337
Phone :570-296-3434
Fax :570-296-0403
Email : rruiz@pikepa.org

Non-elected committees and councils

PIKE COUNTY TRANSPORTATION does not appoint Board of Director Members nor any other committee or subcommittee structure.

Equity Analysis Statement:

PIKE COUNTY TRANSPORTATION has not performed a major construction project since the last Title VI update so no equity analysis has been performed. PIKE COUNTY TRANSPORTATION will perform an equity analysis for all future qualifying construction projects.

PIKE COUNTY TRANSPORTATION - Title VI Equity Analysis Procedures for Compliancy with FTA C 4702. 1B.

PIKE COUNTY TRANSPORTATION'S TITLE VI - DETERMINATION OF SITE OR LOCATION OF FACILITIES

Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the

purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.”

Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

To comply with the regulations:

- a. PIKE COUNTY TRANSPORTATION shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. PIKE COUNTY TRANSPORTATION will engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur before the selection of the preferred site.
- b. When evaluating locations of facilities, PIKE COUNTY TRANSPORTATION will give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis will be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.
- c. If PIKE COUNTY TRANSPORTATION determines that the location of a project will result in a disparate impact on the basis of race, color, or national origin, PIKE COUNTY TRANSPORTATION will only 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. PIKE COUNTY TRANSPORTATION will show how both tests are met. PIKE COUNTY TRANSPORTATION realizes that in order to make this showing, PIKE COUNTY TRANSPORTATION must consider and analyze alternatives to determine whether those alternatives would have less (Chap. III-12 FTA C 4702.1B) of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

Definitions – According to the Federal Transit Administration

Minority: The FTA defines a minority person as one who self-identifies as American Indian/Alaska Native, Asian, Black or African American, Hispanic or Latino, and/or Native

Hawaiian/Pacific Islander. Minority values in the PIKE COUNTY TRANSPORTATION Study Area are mapped through census studies and zoning maps. (such as attached).

Low Income: The FTA defines a low-income individual as one whose household income is at or below the poverty guidelines set by the Department of Health and Human Services (DHHS). DHHS poverty thresholds are based on household size and income, and are nearly identical to the guidelines used to define poverty in the 2011 U.S. Census and American Community Survey (ACS), which form the basis of this review. Low-income values in the PIKE COUNTY TRANSPORTATION study area are mapped through census studies and zoning maps. (such as attached).

Disparate Impact: The defines “disparate impacts” as neutral policies or practices that have the effect of disproportionately excluding or adversely affecting members of a group protected under Title VI, and the recipient’s policy or practice lacks a substantial legitimate justification. If the results of the analysis indicate a potential for disparate impacts, further investigation is performed. This investigation uses qualitative assessments and/or the “four-fifths rule” to determine whether disparate impacts exist. In this analysis, if the quantitative results indicate that the Concept Plan service changes provide benefits to minority/low-income groups at a rate less than 80 percent of the benefits provided to non-minority/non-low-income groups, there could be evidence of disparate impacts and mitigation measures should be identified

List of Title VI Investigations/Complaints/Lawsuits

FY10/11 -	None
FY11/12 -	None
FY12-13 -	None
FY13-14-	None
FY14-15 -	None
FY15-16-	None
FY16-17-	None
FY17-18	None
FY18-19	None
FY19-20	None
FY20-21	None