

Washington Hancock Community Agency Title VI Plan

Non-Discrimination in the Federal Transit Program

(Adopted 1/26/2016)

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 sub-recipients 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). 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 Maine DOT's Title VI Plan, Sub-recipients 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:

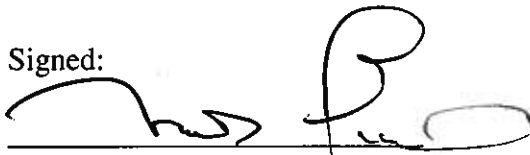
- New signed Title VI Assurances
- A designated Title VI Coordinator responsible for Title VI compliance
- Appendix A & E included in contracts
- Title VI Complaint Process
- Four Factor Analysis
- LEP Plan
- Public Participation Plan

Title VI Assurances

Washington Hancock Community Agency (WHCA) 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. **WHCA** is a public non-profit entity. It is the policy of **WHCA** 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. **WHCA's** 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. **WHCA** 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: **Executive Director**

1/26/2016

Date

MaineDOT Compliance/Monitoring Review and Training

WHCA agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process. Lobster Transit agrees to participate in training that includes Title VI and its requirements.

Certification and Assurance Submission

WHCA 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 for **WHCA** is: Linda Belfiore

Agency Subcontracts

WHCA 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 sub-recipients.

WHCA 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 **WHCA**'s complaint procedure is outlined below:

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

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

WHCA has 10 business days to investigate the complaint. If more information is needed to resolve the case, **WHCA** may contact the complainant. The complainant has 10 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 10 calendar days, 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, **WHCA** 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, **WHCA** 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 **WHCA** identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log. If the complaint cannot be resolved informally, **WHCA's** 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.

WHCA 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

WHCA will provide information to the public regarding **WHCA's** 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, **WHCA** shall disseminate this information to the public by posting the notice on its website (if available) and in local media. **WHCA** will document where and when this information is posted.

WHCA 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.:

WHCA is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or nation 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.

To request additional information on **WHCA's** Title VI policy, or to file a discrimination complaint, please contact **WHCA** at: 1-207-664-2424.

The Complaint Procedure is located at 248 Bucksport Road, Ellsworth, ME 04605.

Title VI Poster

WHCA will provide a poster to meet the requirements listed below and will provide updates as required. **WHCA** 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 www.whcacap.org
- 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 at 1-800-752-6096 or at www.LanguageLine.com

Limited English Proficiency

Four Factor Analysis

WHCA 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, **WHCA** assures that no person shall on the grounds of race, color, gender 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. 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 numbers 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. LEP persons can potentially interact with **WHCA** when they telephone the agency, when they board or exit a transit vehicle, or when they attend a meeting sponsored by **WHCA**.
 - b. There is no LEP community in **WHCA**'s service area.
 - c. **WHCA** 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. **WHCA** has no data that suggests that LEP populations are using its buses.
 - b. **WHCA** has no data that suggests that LEP populations are attending its meetings.
 - c. There have been no customer service interactions with LEP persons during the past three years.
 - d. **WHCA** 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. **WHCA's** buses are accessible to persons with disabilities, but **WHCA** has no data that suggests that seniors and people with disabilities are part of Maine's LEP population.
 - b. **WHCA** has "I Speak" language identification cards available on its buses and at public meetings. Should the need arise; **WHCA** 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. **WHCA** has "I Speak" language identification cards available on its buses and at public meetings, and language translation poster and services at its office. If the need for translation services arises, **WHCA** 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, **WHCA** assures that based on the results of the Analysis, a Language Assistance Plan will be created. The **WHCA** Language Assistance Plan includes the following:

1. 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 **WHCA's** service area.
2. **WHCA** has "I Speak" language identification cards available on its buses and at public meetings, and Language Interpretation posters and services available at its offices. Should the need arise; **WHCA** can utilize translation services identified in MaineDOT's FTA Title VI Plan.
 - a. Within the past three years, there have been no requests by LEP persons to have these documents provided in another language.
3. **WHCA** has "I Speak" language identification cards available on its buses and at public meetings, and language interpretation posters and services in its offices. **WHCA** also posts Title VI posters in its offices and at other prominent places.

4. On a yearly basis, **WHCA's** Title VI Coordinator will review the Title VI plan in conjunction with Census data, FTA requirements, and any developments that would impact the plan including complaints and requests for language assistance services. Based on this review, **WHCA's** Language Assistance Plan will be updated accordingly.
5. **WHCA** 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 **WHCA** staff and volunteers 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

WHCA 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

WHCA 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 **WHCA** service area. **WHCA** 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. **WHCA** 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.

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

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

WHCA 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.

Body	Caucasian	Latino	African American	Asian American	Native American
Board of Directors	16	0	0	0	0
Friendship Cottage Advisory Board	8	0	0	0	0
At Home Downeast Blue Hill Steering Committee	11	0	0	0	0
At Home Downeast MDI Steering Committee	5	0	0	0	0

Appendix B

Public Notice/Poster

In accordance with the Civil Rights Act of 1964, **Washington Hancock Community Agency (WHCA)** operates its programs and services without regard to race, gender, 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 **WHCA's** civil rights program and the procedures to file a complaint, visit our website or contact **WHCA** directly at:

Washington Hancock Community Agency
248 Bucksport Road
Ellsworth, ME 04605
www.whcacap.org
207-664-2424

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

Washington Hancock Community Agency 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:

Washington Hancock Community Agency
 248 Bucksport Road
 Ellsworth, ME 04605
www.whcacap.org
 207-664-2424