**TITLE VI POLICY**

**AND**

**COMPLAINT PROCEDURES**

**AMADOR TRANSIT**

**August 2023**

**TITLE VI COORDINATOR**

**Patricia M. Amarant, General Manager**

**11400 American Legion Drive, Jackson CA 95642**

**209-267-9395**

**TITLE VI PROGRAM POLICY**

Amador Transit is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on basis of race, color, or national origin. All persons, regardless of their citizenship, are covered under this regulation. In addition, Amador Transit prohibits discrimination based on race, color, or national origin identity in its employment and business opportunities.

Amador Transit will not condone retaliation against an individual for his/her involvement in asserting his/her rights pursuant to Title VI because he/she filed a complaint or participated in an investigation under Title VI and/or this regulation.

As a Federal Transit Administration (FTA) fund recipient, Amador Transit ensures that its programs, policies, and activities comply with the Department of Transportation DOT) Title VI Regulations of the Civil Rights Act of 1964.

Amador Transit ensures that the level and quality of its transportation service is provided without regard to race, color, or national origin.

Amador Transit promotes the full and fair participation of all affected populations in the transportation decision-making process, by conducting the following meetings and/or workshops:

* Coordinated Public Transit Plan workshops
* Bi-monthly SSTAC meetings
* Amador Transit monthly board meetings
* Bus Route Committee workshops
* Triennial Performance Audit workshops

The participants at these meetings include representatives from all social service agencies of Amador County, Amador Transit, ACTC, business owners and members of the public. The Social Services Technical Advisory Council (SSTAC) is an advisory committee to the Amador County Transportation Commission (ACTC) on matters pertaining to the transit needs of transit dependent and transit disadvantaged persons.  The SSTAC also works to coordinate transit services needed or provided by different agencies and organizations to eliminate duplication of service, create efficiencies, and save public funds.  The SSTAC’s input shall be considered in and made an integral part of the Commission’s annual “unmet transit needs” hearing and findings process.

Amador Transit makes a good faith effort to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, activities and services on minority populations and low-income populations within Amador Transit’s service area as provided herein.

Amador Transit ensures that Limited English Proficient (LEP) individuals have access to Amador Transit’s programs, activities, and services.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| BODY | CAUCASIAN | LATINO | AFRICAN AMERICAN | ASIAN AMERICAN | NATIVE AMERICAN |
| Social Services Transportation Advisory Council | 98% | 2% | 0% | 0% | 0% |
| Amador Transit Board Members | 100% | 0% | 0% | 0% | 0% |

The Amador Transit Board members are all elected members with only one public appointed member.

***"TITLE VI EQUITY ANALYSIS - Amador Transit does not have transit related facilities".***

*\*See Title VI LEP Plan for LEP analysis for Amador County’s Census data*

The Amador Transit General Manager is responsible for implementing this policy. The Amador Transit Title VI will be posted on the agency website, within the administrative offices, within vehicles and at high demand stops throughout the system.

The Regulation shall be maintained in English and Spanish.

**COMPLAINT/LAWSUITS AND APPEALS**

**How to File a Title VI Complaint with Amador Transit:** Any person who believes that he/she, or as a member of any specific class of individuals, has been subjected to discrimination based on race, color, or national origin with respect to Amador Transit’s programs, activities, services, or other transit related benefits, may file a written complaint with Amador Transit. A complaint may be filed by the individual or by a representative. A complaint must be filed within 180 days after the date of the alleged discrimination, but complainants are encouraged to submit complaints as soon as possible. **Amador Transit will promptly investigate all complaints filed under Title VI, pursuant to this Regulation.**

**Complaint must include the following information:**

1. A complaint must be in writing; signed and dated by the Complainant or his/her representative before any action can be taken.
2. A complainant shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the name and address of the complainant, the date, time and location of the incident. The complaints should include a description of the program, activity or service on which the alleged discrimination occurred.

A *Complaint Form* (Attachment B) can be used to file a Title VI complaint with Amador Transit. A *Complaint Form* is made in an accessible format upon request. A *Complaint Form* can be obtained at:

1. Amador Transit’s website [www.amadortransit.com](http://www.amadortransit.com)
2. By calling Amador Transit at (209) 267-9395 and a *Complaint Form* will be mailed to you.
3. By picking up a *Complaint Form* at 11400 American Legion Drive, Jackson CA 95642.

If the complaint is received by anyone besides Amador Transit’s Manager, the individual on receipt of the complaint shall forward it to the General Manager or his/her designee as soon as practicable but no later than two (2) working days of receipt. The General Manager shall immediately provide a copy of the complaint to the Chair of the Board of Directors of the program, activity or service that is identified as being out of compliance.

**Amador Transit’s Procedures for Investigating Complaints**

The General Manager or his/her designee shall promptly investigate the alleged complaint and shall prepare a written response as soon as practicable, but no later than ten (10) working days of his/her receipt of the complaint. The General Manager or his/her designee may consult with proper staff in the preparation of his/her response to the complaint.

**Efforts to Contact Complainant**

The General Manager or his/her designee shall make efforts to speak (meeting or telephone conversation) with the complainant, at which time the complainant may give written or oral evidence supporting the allegation that his/her rights under Title VI have been violated. The General Manager or his/her designee shall review and consider the all the information provided by the complainant, if any, and any other evidence available regarding the allegations of the complaint. The General Manager or his/her designee shall prepare a written report of his/her findings and if corrective action(s) is needed; and a timetable for the completion of such action.

**Completion of Investigation**

As soon as it is practical, but no later than twenty (20) working days following receipt of the first complaint, the General Manager or his/her designee shall inform the complainant of his/her finding and any corrective action to be taken as a result of the complaint together with the timetable for completion of such action.

**Appeal to Chair**

If the complainant is not satisfied with the findings and/or action of Amador Transit’s Manager or his/her designee, then the complainant may file his/her complaints to the Chair of the Board of Director’s or with the FTA’s Office of Civil Rights.

**Appeal Process**

If the complainant chooses to file his/her complaint with the Chair of the Board of Directors, then the complaint and any supporting documentation should be submitted within five (5) working days of his/her receipt of the results of the General Manager’s investigation, with the Chair of the Board of Directors by providing it to the General Manager at the Amador Transit Administrative Offices. Upon review of the file, the Chair of the Board of Directors shall notify the complainant of what actions, if any, will be taken because of the review by the Chair within ten (10) working days of the Chair’s notification that the complainant is not satisfied with the results of the General Manager’s investigation. The decision of the Chair of the Amador Transit Board of Directors shall be final.

**Timeline Waiver**

Any timeline set forth herein may be extended by the General Manager upon a showing of good cause.

**APPLICABILITY**

This policy is applicable to all Amador Transit employees, members of the public and all contractors hired by Amador Transit.

Failure of an Amador Transit employee to follow this policy and procedure shall subject such employee to disciplinary action up to and including employment termination.

**DEFINITIONS**

***“Adverse Effect”*** means having a harmful or undesired effect.

***“Discrimination”*** refers to any act or inaction, whether intentional or unintentional, in any program or activity of a federal aid recipient, sub recipient, or contractor that results in disparate treatment, disparate impact, or perpetuates the effects of prior discrimination based on race, color, national origin, age, sex, sexual orientation or gender identity.

***“Gender Identity”*** refers to an individual's gender, or lack thereof, a person self identifies with. It is not necessarily based on biological facts, either real or perceived, nor is it always based on sexual orientation. The gender identities one may choose from include male, female, both, somewhere in between.

***“Limited English Proficient (LEP) Persons”*** are individuals for whom English is not their primary language and who have a limited ability to speak, understand, read or write English. It includes people who reported to the US Census that they do not speak English well or do not speak English at all.

***“Low-Income Population”*** means any readily identifiable groups of low-income individuals who live in geographic proximity and if circumstances warrant, geographically dispersed transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

***“Minority Individuals”***

1. *American Indian and Alaska Native*, which refers to people having origins in any of the original peoples of North and South American (including Central America) and who maintain tribal afflictions or community attachment.
2. *Asian*, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
3. *Black or African American*, which refers to people having origins in any of the Black racial groups of Africa.
4. *Hispanic or Latino*, which includes people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. *Native Hawaiian and Other Pacific Islanders*, which refers to people having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Island.

“***National Origin”*** means the particular nation in which a person was born, or where the person’s parents or ancestors were born.

***“Race”*** means a group of people united or classified together based on common history, nationality or geographic distribution.

“***Recipient”*** means one that has received or is receiving Federal Financial assistance under the Acts. The term includes subrecipients of a recipient and subrecipients in FTA’s State administered programs.

***“Retaliation”*** any adverse action taken against another individual because of his/her participation in the complaint, investigation, or hearing relating to this policy or the provision of federal or state law.

***“Vital Documents”*** are documents that convey information that critically affects the ability of the customer to make informed decisions about his/her participation in the program (e.g., public notices, consent forms, complaint forms, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal and notices informing customers of the availability of free language assistance.

**GENERAL REQUIREMENTS AND GUIDELINES**

Amador Transit carries out its programs, activities, and services in compliance with Title VI of the Civil Rights Act of 1964. Amador Transit or any of its employees will not, on the grounds of race, color or national origin exclude any person from taking part in, deny the benefits of, or subject him/her to discrimination under any of Amador Transit’s programs, services, or activities.

Amador Transit or any of its employees will not, on the grounds of race, color, or national origin.

1. Provide any service, financial aid or benefit that is difference from that provided to others;
2. Subject an individual to segregation or separate treatment;
3. Restrict an individual in the enjoyment of any advantage or privilege enjoyed by others;
4. Deny any individual service, financial aid, or benefits under any of Amador Transit’s programs, services, or activities;
5. Treat individuals differently in terms of whether they satisfy administration or eligibility requirements;
6. Deny an individual the opportunity to participate as a member of a planning or advisory body.

Amador Transit evaluates significant system-wide service and fare changes and proposed improvements at the planning and programming states to determine whether these changes have a discriminatory impact on low-income and Limited English Proficient individuals. This applies to major service changes that affect 25% of service hours of a route.

Amador Transit holds at least one Board Meeting every month to ensure that all individuals are afforded an opportunity to participate in transportation decisions.

Amador Transit’s keeps a list (a minimum of four years in active status) of any Title VI investigations, complaints or lawsuits filed which allege Amador Transit discriminated against a person or group based on race, color or national origin. This list will include:

1. The date the investigation, complaint or lawsuit was filed;
2. A summary of the allegation(s);
3. The status of the investigation, complaint, or lawsuit; and
4. Any actions or corrective actions taken by Amador Transit in response to the investigation, complaint, or lawsuit.

**LIST OF TITLE VI COMPLAINTS**

**SEE APPENDIX “A”**

Amador Transit keeps the public informed of the protections against discrimination afforded to them by Title VI and Amador Transit’s obligations under Title VI by posting this policy, or a *Title VI Policy Statement* (Appendix A) and associated English and Spanish *Complaint Forms*, on the Amador Transit website at [www.amadortransit.com](http://www.amadortransit.com) *Title VI Policy Statement* (Appendix A) will be posted in English and Spanish at Amador Transit. In addition, *Title VI Policy Statements* (Appendix A) and *How To File a* *Complaint with associated Timeline* (Appendix A) will be posted in the administration office, vehicles and major passenger stops.

Amador Transit takes responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs, activities and services for individuals who are Limited English Proficient (LEP).

Amador Transit provides information, upon request from FTA, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

Amador Transit ensures that minority and low-income individuals have meaningful access to Amador Transit’s programs, activities, and services.

Amador Transit will submit its Title VI Program to the FTA’s regional civil right officer once every three (3) years to ensure compliance with Title VI Requirements.

**ENVIRONMENTAL JUSTICE REQUIREMENTS**

Amador Transit has integrated an environmental justice analysis into its National Environmental Protection Act (NEPA) documentation of construction projects. Amador Transit is not required to conduct environmental justice analyses of projects where NEPA documentation is not required. Amador Transit will consider preparing an environmental assessment (EA) or environmental impact statement (EIS) to integrate into its documents the following components:

1. A description of the low-income and minority population within the study area affected by the project and a discussion of the method used to identify this population (e.g., analysis of Census data, direct observation or a public involvement process);
2. A discussion of all adverse effects of the project both during and after construction that would affect the identified minority and low-income populations;
3. A discussion of all positive effects of the project that would affect the identified minority and low-income populations, such as improvements in transit service mobility or accessibility;
4. A description of all mitigation and environmental enhancement actions incorporated into the project to address the adverse effect, including, but not limited to, any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues; and the replacement of the community resources destroyed by the project.
5. A discussion of the remaining effects, if any, and why further mitigation is not proposed; and
6. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas.

**LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS AND PUBLIC PARTICIPATION REQUIREMENTS**

Amador Transit seeks out and considers the viewpoints of minority, low-income and Limited English Proficient (LEP) populations while conducting public outreach and involvement activities. Amador Transit’s Mobility Manager attends monthly social service meetings throughout the county and provides brochures, flyers, schedules, and information for distribution to the public. Amador Transit updated the agency's web page with Google language translator widget, enabling an LEP individual to understand the transit system, obtain the information needed to access transit, and contact information to call the agency for personal assistance.

Amador Transit ensures that individuals have access to its programs, activities, and services by carrying out the updated language plan herein. Amador Transit continually assesses the language assistance needs of the population to be served by referencing the latest county census data.

Amador Transit uses the following four factors to determine what measures must be undertaken to provide reasonable and meaningful access to LEP individuals.

1. Languages encountered and the number or proportion of LEP persons in the eligible service population affected. The most current census data is reviewed to assess any requirements not met by the agency.
2. Frequency with which LEP individuals encounter Amador Transit’s programs, activities, and services obtained from social service meetings and from bus drivers' comments.
3. Importance of the program, activity or service provided by Amador Transit to LEP, elderly, disabled and transit dependent lives.

d) Update the resources needed to provide the most current language assistance and costs.

**ORAL LANGUAGE ASSISTANCE**

Amador Transit keeps bilingual administrative staff as well as bus drivers to provide Spanish-speaking interpretation at its agency. This assists with customer service for basic transit questions and trip planning assistance. The agency employs bilingual drivers to assist passengers on board the buses.

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**AMADOR TRANSIT SYSTEM PERFORMANCE STANDARDS**

Amador Transit currently reports the following Transit Development Act (TDA) mandated Key Performance Measures:

Passenger Fares

Operating Expenses

Farebox Recovery Ratio (FBR)

Operating Cost/Passenger

Operating Cost/Revenue Hour

Operating Cost/Revenue Mile

Passenger Trips/Revenue Hour

Road Calls

Average Fare Per Passenger

Employees/Full-Time Equivalent (FTE)

**VEHICLE LOAD STANDARDS BY MODE**

The average of all loads during the peak operating period should not exceed vehicles achievable capacities, which are as follows:

|  |
| --- |
| **Average Passenger Capacities** |
| **Vehicle Type** | **Seated** | **Standing** | **Total** | **Max. Load Factor** |
| Braun Entervan | 4 | 0 | 4 | 1.0 |
| Ford Transit Van | 9 | 0 | 9 | 1.0 |
| Toyota Hybrid Van | 3 | 0 | 3 | 1.0 |
| 24’ Cutaway | 16 | 8 | 24 | 1.5 |
| 25’ Cutaway | 20 | 10 | 30 | 1.5 |
| 30’ Cutaway | 20 | 10 | 30 | 1.5 |
| 32’ Cutaway | 28 | 14 | 42 | 1.5 |
|  38’ Cutaway | 36 | 18 | 54 | 1.5 |

**HEADWAYS AND PERIODS OF OPERATION**

***Local***

Service operates on a reverse-directional route every 30-40 minutes, between the hours of 7:00 AM to 5:30 PM, Monday through Friday. No weekend service is available.

***UpCountry***

This service provides connectivity between Jackson-Sutter Creek as far as Amador Station on State Hwy 88. The complete route is 1 hour and 55 minutes. Four trips per are provided leaving the Sutter Hill Transit Center at 5:45AM, 7:30AM, 11:50AM and 4:30PM. Routes are timed to connect with the Local service and other county routes. This service operates Monday through Friday. No weekend service is available.

***Plymouth***

This service provides connectivity between Jackson-Sutter Creek to the town of Plymouth. The complete route averages 48 minutes in length. Two trips per day are provided leaving the Sutter Hill Transit Center at 8:15AM and 3:10PM. Routes are timed to connect with the Local service and other county routes. This service operates Monday through Friday. No weekend service is available.

***Ione***

This service provides connectivity between Jackson-Sutter Creek to the town of Ione. The complete route is 1 hour and 5 minutes. Two trips per day are provided leaving the Sutter Hill Transit Center at 7:45AM, and 3:40PM. Routes are timed to connect with the Local service and other county routes. This service operates Monday through Friday. No weekend service is available.

***Commuter to Sacramento***

Service is provided between Amador County and downtown Sacramento on weekdays. This route operates twice daily; departing the Sutter Hill Transit Center at 6:00AM and 3:30PM, Monday through Friday. The complete route averages 3.0 hours. No weekend service is available.

Routing and scheduling involve the consideration of a number of factors including ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan and Amador Transit Long Range Plan, relationship to major transportation development, land use connectivity and transportation demand management.

|  |  |  |  |
| --- | --- | --- | --- |
| **WEEKDAY** | **PEAK** | **BASE** | **EVENING** |
| Local (7:00am – 5:30pm) | 24 | 16 | - |
| UpCountry (5:45am, 7:30am, 11:50am, 4:30pm) | 30 | 20 | - |
| Plymouth (8:15am, 3:10pm) | 42 | 28 | - |
| Ione (7:45am, 3:30pm) | 30 | 20 | - |
| Commuter (6:00am, 3:30pm) | 54 | 36 | - |
| Dial-A-Ride (6:00am – 6:00pm) | 24 | 16 | - |

**ON-TIME PERFORMANCE STANDARDS**

***Local:*** Ninety (90%) percent of all fixed-route trips and eight (80%) of all deviated fixed-route trips should be operated “on-time”, defined as not early, but, no more than five (5) minutes late in comparison to the established time points.

***Commuter:*** Ninety (90%) percent of all trips should be operating “on-time”, defined as not early, but, no more than five (5) minutes late in comparison to the established time points.

The above On-Time Performance definitions are based on Amador Transit On-Time Performance Policy.

Local Fixed Route: 90%

Local Fixed Route (Deviated): 80%

Rural Fixed Route: 90%

Demand Response: 95%

Commuter: 95%

**SERVICE AVAILABILITY**

It is the goal of AT to continue to provide transit service to residential areas, major medical, shopping, government, employment centers and activity centers that can support those route services. The local route is designed such that 85% of the population cluster areas are within three-fourths (3/4) mile of a fixed route or within the service area of a deviated fixed-route or Dial-A-Ride service.

For intra-county transit services, the ongoing goal is to continue to provide transit service to those employment centers that can support transit service with the efficiency and effectiveness goals of Amador Transit.

***Vehicle Assignment:*** All vehicles within the Amador Transit fleet are lift-equipped, have interior and exterior cameras with audio, have bicycle racks and heat/air conditioning; except for the mini vans, they are not equipped with bike racks. Vehicles are assigned based on operating characteristics of the route and regularly rotated. Local routes typically operate smaller more maneuverable cutaway style buses, while the intra-county routes require the larger cutaway buses.

***Transit Amenities:*** Installation of transit amenities (shelters, bus stop signs with route schedules, Simme-seats with route schedules, solar lighting) are based on passenger boarding along the route and are determined by the ‘Amador Transit Design Guidelines Manual’ prepared for Amador Transit by LSC Consulting in June 2008. For example, the AT Design Guidelines state: Bench, 5 to 9 boarding’s per day; Shelter, 10 or more boarding’s per day.

**How to File a Title VI Complaint with FTA**

Any person who believes that he/she or as a member of any specific class of individuals, was subjected to discrimination based on race, color, or national origin, with respect to Amador Transit’s programs, activities or series, or other transit related benefits, may file a written complaint with the FTA. A complaint should be filed by the individual or by a representative. A complaint must be filed within 180 days of the date of the alleged discrimination. FTA will promptly investigate all complaints filed under Title VI in accordance with DOT regulations *49 CFR 21.11(b) and 21.11 (c).*

**A complaint must include the following information:**

1. A complaint must be in writing and signed and dated by the complainant or his/her representative before any action can be taken. In cases where a complainant is unable or incapable of providing a written statement, and wishes FTA or DOT to investigate alleged discrimination, a verbal complaint of discrimination may be made to the FTA Director, Office of Civil Rights. If necessary, the Civil Rights Official will assist the person in converting the verbal complaint into writing. All complaints must, however, be signed by the complainant or his/her representative.

FTA Civil Rights Office Address:

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator

East Building, 5th Floor – TCR

1200 New Jersey Avenue, S.E.

Washington, DC 20590

TTY: 1-800-877-8339

Voice: 1-866-377-8642 FTA.ADAAssistance@dot.gov

1. A complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination, including the date, time, and location of the incident. The complaint shall include a description of the program, activity, or service in which the alleged discrimination occurred.

**Complaint Acceptance**

Once the complaint has been accepted, FTA will notify Amador Transit that it has been subject to a Title VI complaint and as Amador Transit to respond in writing to the complainant’s allegations. Once the complainant agrees to release the complaint to Amador Transit, FTA will provide Amador Transit with the complaint. FTA may choose to close a complaint if the complainant does not agree to release the complaint to Amador Transit. FTA strives to complete a Title VI complaint investigation within 180 days of the acceptance date of a complaint.

**Investigations**

FTA will make a prompt investigation whenever a compliance review, report, complaint or any other information indicates a possible failure to comply with Title VI Regulations. FTA’s investigation will include a review of the pertinent practices and policies of Amador Transit, the circumstances under which the possible noncompliance occurred and other factor relevant to a determination as to whether Amador Transit has failed to comply with Title VI regulations.

Following the investigation, FTA’s Office of Civil Rights will transmit to the complainant and Amador Transit one of the following three (3) letters based on its finding:

1. **Letter of Resolution**: This explains the steps that Amador Transit has taken or promises to take to come into compliance with Title VI.
2. **Letter of Finding (Compliance**): Which explains that Amador Transit is found to be following Title VI. This letter will include an explanation of why Amador Transit was found to be complying and provide notification of the complainant’s appeal rights.
3. **Letter of Finding (Noncompliance**): Which explains that Amador Transit is found to be in noncompliance This letter will include each violation referenced, the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences for failure to achieve voluntary compliance and an offer of assistance Amador Transit in devising a remedial plan for compliance.

**Appeals Process**

The letters of finding and resolution will offer the complainant and Amador Transit the opportunity to provide additional information that would lead FTA to reconsider its conclusions. FTA requests that the parties in the complaint provide this additional information within sixty (60) days of the date of the FTA letter of finding. FTA’s Office of Civil Rights will respond to an appeal either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force.

**DEFICIENCIES WITH TITLE VI COMPLIANCE**

Compliance Reviews will be conducted periodically by FTA, as part of its ongoing responsibility pursuant to its authority under *49 CFR 21.11(a).*

If FTA determines that Amador Transit is in noncompliance with Title VI, it will transit a *Letter of Finding* that describes FTA’s determination and request that Amador Transit voluntarily take corrective actions(s) which FTA deems necessary and appropriate.

Amador Transit will submit a remedial action plan including a list of planned corrective actions and, if necessary, sufficient reasons and justification for FTA to reconsider any of its findings or recommendations within thirty (30) days of receipt of FTA’s *Letter of Finding.*

**ADMINISTRATION OF REGULATION**

Amador Transit has integrated the provisions within its Title VI Program into all programs, activities and services provided by Amador Transit.

Amador Transit has integrated the Title VI Program into its policies and procedures.

**Amador Transit Limited English**

**Proficiency Plan**

**TITLE VI LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

**INTRODUCTION**

This Limited English Proficiency (LEP) Plan has been prepared to address the Amador Transit responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which states that no person shall be subjected to discrimination of the basis of race, color, or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person’s inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

**PLAN SUMMARY**

Amador Transit is the only public transit operator in Amador County; located in the western slopes of the Sierra’s. Amador Transit has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Amador Transit. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required and how to notify LEP people that such assistance is available.

To prepare this plan, Amador Transit undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. Languages encountered and the number or proportion of LEP persons in the eligible service population affected. The most current census data is reviewed to assess any requirements not met by the agency.
2. Frequency with which LEP individuals encounter Amador Transit’s programs, activities, and services obtained from social service meetings and from bus drivers' comments.
3. Importance of the program, activity or service provided by Amador Transit to LEP, elderly, disabled and transit dependent lives.

d) Update the resources needed to provide the most current language assistance and costs.

A summary of the results of the Amador Transit four-factor analysis is in the following section.

**FOUR-FACTOR ANALYSIS**

***1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter an Amador Transit program, activity, or service.***

Amador Transit staff reviewed the 2021 U.S. Census Data and it reported that of the 38,567 persons in Amador County, 3,713 persons in Amador County (9.63% of population) may speak a language other than English. In Amador County, there is no mechanism or methodology (including US Census Data) in place, to determine of those persons who speak another language, how many have limited English proficiency; that is, they speak English “not very well”.

In Amador County of those persons speaking other languages, 2,724 (7.06% of the total population) speak Spanish; the remaining are as follows: 94 Asian American (.02%of the total population); and 237 Native Hawaiian or other Pacific Islander (.06% of the population).

The 2021 U.S. Census data does report that in Amador County “Language Other Than English Spoken at Home” is 3,713persons (9.6%of the population). In Amador County, Spanish is the primary language spoken other than English and the other languages reported are less than 1% of the population.

To assure that no discrimination be affected by Amador Transit, it is **“assumed”** that the ‘Language Other Than English Spoken at Home’ (9.6%of the population) is primarily Spanish and **“could”** indicate having limited English proficiency; that is, they speak English “not very well”.

***2. The frequency with which LEP persons encounter Amador Transit programs, activities, or services.***

Amador Transit assessed the frequency with which staff and driver have, or could have, contact with LEP persons. This included documentation of telephone inquiries and surveying bus operators for requests for interpreters and translated documents. To date, very limited LEP contacts have been made.

Over a six (6) month survey period, results were as follows:

General Service Calls: 2-3

On Board driver requests: 2

What is notable, in this instance, is that dispatch staff only indicates taking between two (2) to three (3) calls during the same survey period as the driver survey period.

Regardless of this information, Amador Transit continues to incorporate bilingual staff as much as practical, work with local community service agencies that can identify LEP person traffic and ensure that language assistance information is posted in high volume areas such as; buses, website, and administration offices.

***3. The nature and importance of programs, activities or services provided by Amador Transit to the LEP population.***

The largest geographic concentration of potential LEP individuals in the Amador Transit service are Spanish. Three (3) concentrated areas that have significant percentages of the population identified as Hispanic are: River Pines, Fiddletown and Camanche. All these remote communities are outside of the Amador Transit service area. However, services provided by Amador Transit most likely to encounter LEP individuals are the fixed route system which serves the public and potentially the Amador Transit Dial-A-Ride program which services elderly and persons with disabilities when LEP individuals come to the major shopping areas of the county within the Amador Transit service area.

Most of Amador Transit’s ridership are “transit dependent” riders. It is also possible that Amador Transit will encounter LEP individuals at the Amador Transit offices where passes are sold, on-board the bus and especially at community outreach events, such as:

 Wellness Days

 Dandelion Days

 Homeless Resource Days

 Special Summer Event at Sutter Hill Transit Center

 Travel Training at Schools and various agencies

***4. The resources available to Amador Transit and the overall cost to provide LEP assistance.***

Amador Transit is well equipped to provide LEP assistance for Spanish speaking individuals. Administration staff has a bilingual person who currently translates Amador Transit public information to Spanish. For other LEP language requirements, staff will use google translate to respond to inquiries, or use the translate app on iPhones or Androids. The Title VI Policy Statement, Complaint Form, Complaint Process and Timeline is currently posted in both English and Spanish in the Administration offices, on all the buses, in the major shelter areas and on our web site in both English and in Spanish. The plan in its entirety is posted on our web site. Amador Transit's website which has a Google Translate widget installed.

For outreach events, Amador Transit currently translates all outreach materials such as its Dial-A-Ride Program, Tips for Riding the Bus and other documentation in Spanish. This information is also on the Amador Transit website.

In addition, Amador Transit has on staff Spanish speaking bus operators and an administrative employee; who are utilized for services provided to special events where the potential for LEP population may be contacted.

Amador Transit continues to assess and improve its available resources by partnering with other social services agencies within the county to seek out LEP persons, improve outreach and translation efforts as the population changes.

**LIMITED ENGLISH PROFICIENCY (LEP) PLAN OUTLINE**

**LANGUAGE ASSISTANCE**

***How Amador Transit identifies an LEP person who needs language assistance:***

1. AT examined records to see if requests for language assistance have been received in the past at meetings or over the phone. Determine whether language assistance may be needed at future meetings.
2. Have bilingual staff available at Amador Transit events. This staff person will engage persons in conversation to assist in determining attendee’s ability to speak and understand English.
3. At Amador Transit meetings, staff can assist in identifying any language using translation apps on iPhones or Androids that may be needed to identify language assistance needs for future meetings and events.
4. All drivers carry cell phones in case of emergency on the bus and bus operators will use them to identify specific language assistance needs of passengers. When riders with LEP are encountered, vehicle operators are instructed to try to obtain contact information to give to Amador Transit management for follow-up.
5. Survey bus operators, dispatchers, and management staff regarding any contact with LEP persons during the previous year.
6. Amador Transit has posted notice of its LEP Plan and the availability of interpretation and translation services available free of charge in languages LEP people would understand in the administration office, on buses and at all major transit shelters.

***Language Assistance Measures***

Although there is a very low percentage in the Amador Transit service area of LEP individuals, that is persons who speak English “not well” or “not at all”, Amador Transit continues to offer the following measures.

1. Provide bilingual staffing to offer Spanish-speaking interpretation at its Administrative Office for transit questions and trip planning.
2. AT continues to network with local human service organizations that provide services to LEP individuals and seek opportunities to provide information on Amador Transit services.
3. Have placed statements in notices and publications that Spanish interpreter services are available for meetings, with seven (7) days advance notice.
4. Perform ongoing surveys of bus operators, dispatchers and management staff of their experience concerning any contacts with LEP persons.
5. Employ translation apps on cell phones to assist in identification of LEP persons,

utilized by all bus operators, dispatch/customer service personnel and road supervisor personnel.

1. Posted the Amador County Title VI Policy Statement on the Amador Transit webpage, in all vehicles, major shelters, transit center and in the administrative offices' reception area.
2. Provides travel training to LEP individuals through bilingual staff.
3. Includes “Bilingual a Plus” on bus operator recruitment ads.

**STAFF TRAINING**

The following has been provided to Amador Transit staff:

1. Training on the Amador Transit Title VI Procedures and LEP responsibilities.
2. Information and training on the language assistance available by Amador Transit to the public.
3. Provided and trained staff on the use of translation apps and subsequent notification of management staff for follow-up.
4. Document all language assistance requests whether by telephone, in-person, or onboard Amador Transit vehicles.
5. How to handle a potential Title VI Complaint.

***Note: All contractors or subcontractors performing work for Amador Transit are required to follow the Title VI/LEP guidelines.***

**OUTREACH TECHNIQUES**

To ensure that LEP individuals are aware of Amador Transit’s language assistance measures, Amador Transit provides the following:

* Spanish Translation Schedules on the Amador Transit Webpage.
* Google Translate app widget on Amador Transit's website.
* Request assistance from local social service agencies for languages other than Spanish
* Spanish Translation Dial-A-Ride Program Brochures, applications, and Users Guides
* Spanish Translation contact information, phone, and e-mail, posted on the Amador Transit website home page.
* Bilingual staff during office hours for in-person or phone customer service at the administration offices and a bilingual bus operator for special events.
* Spanish Translation of “How to Ride the Bus” brochure.
* Title VI Policy Statement in Spanish in the administration office reception area, the transit center, on-board all buses and in major shelters.
* Passenger Code of Conduct – Spanish Translation

Additionally, when staff prepares documents or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers and agendas will be printed and posted in alternative languages based on the known LEP population. These notices will be posted in the following locations:

* Amador Transit Administration Offices
* Amador Transit Buses
* Sutter Hill Transit Center
* Amador Transit website
* Local Outreach dissemination services (this service reaches 75+ social service agencies’, non-profit agencies, and church groups within Amador County)

As necessary, these notices are posted with local stakeholders, community centers and affected route major transfer points. Bilingual staff are available as needed.

**MEANINGFUL ACCESS AND “SAFE HARBOR” PROVISION**

Amador Transit has adopted the Department of Justice’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of person eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipients’ written translation obligations. Translation of non-vital documents can be provided orally, if needed.

**MONITORING AND UPDATING THE LEP PLAN**

Amador Transit continues to update the LEP plan as required by the U.S. DOT, every three (3) years or when higher concentrations of LEP individuals are present in the Amador Transit service area, and when the 2021 U.S. Census Data is available.

Updates include the following:

* The number of documented LEP person contacts encountered annually.
* How the needs of LEP people have been addressed.
* Determination of the current LEP population in the service area.
* Determination as to whether the need for translation services has changed.
* Determine whether the Amador Transit translation services offered have been effective and sufficient to meet the need.
* Determine whether Amador Transit’s financial resources are sufficient to fund language assistance resources needed.
* Determine whether Amador Transit has fully complied with the goals of this LEP Plan.
* Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals.
* Maintain the monitor a Title VI complaint log, including LEP to determine issues and basis of complaints.

**DISSEMINATION OF AMADOR TRANSIT’S LEP PLAN**

The Amador Transit LEP Plan, Title VI Policy and Complaint Procedures and How to File a Complaint with Timeline is included on the Amador Transit website at [www.amadortransit.com](http://www.amadortransit.com).

Any person or agency with internet access will be able to access and download the plan from the Amador Transit website. Alternatively, any person or agency may request a copy of the plan via telephone mail or in person and shall be provided that copy at no cost. LEP individuals may request copies of the plan in translation, which Amador Transit will provide, if feasible.

Questions of comments regarding the LEP Plan may be submitted to Amador Transit’s General Manager:

**Amador Transit**

 **General Manager**

**11400 American Legion Drive, Jackson, CA 95642**

**Phone: 209-267-9395**

**E-Mail: info@amadortransit.com**

**Amador Transit**

**TITLE VI DISCRIMINATION COMPLAINT FORM**

**11400 American Legion Drive, Jackson CA 95642**

**209-267-9395**

Complainant’s Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/State/Zip:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ E-Mail Address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Violation:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Time of Violation:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Complaint:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Place of Violation:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Bus Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Bus Route:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Discrimination because of:\_\_\_\_\_\_Race \_\_\_\_\_\_Color \_\_\_\_\_\_National Origin*

Please provide the name(s) of the Amador Transit employee(s) who allegedly discriminated against you, including their job titles (if known):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identify what Amador Transit service, program or activity did not comply with Title VI of the Civil Rights Act of 1964:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Identify individuals by name, address and phone number that has information relating to the violation.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Explain as clearly as possible what happened, how you feel you were discriminated against and who was involved. Please include how other individuals were treated differently from you.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Complainant: Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_­­­­­­­\_\_­ \_

**TITLE VI POLICY STATEMENT**

Amador Transit is committed to providing public transportation in an environment that is free from discrimination based on race, color, or national origin. Amador Transit operates its programs, activities, and services without regard to race, color, or national origin.

As a Federal Transportation Administration (FTA) fund recipient, Amador Transit will ensure that its programs, policies, and activities comply with Title VI of the Civil Rights Act of 1964, as amended and Department of Transportation regulations.

Any person, who believes that he/she, has been subjected to discrimination based on race, color, or national origin, with respect to Amador Transit’s programs, activities, services, or other transit related benefits, may file a Title VI complaint. Complaints must be filed in writing and signed by the complainant, or a representative, and should include the complainant's name, address and telephone number or other means by which the complainant can be contacted. Complaints must be filed within one hundred eighty days (180) of the date of the alleged discriminatory act.

To request additional information on Amador Transit’s non-discrimination obligations or to file a Title VI complaint, please submit your request or complaint in writing to:

 **Amador Transit**

 Attn: General Manager

 11400 American Legion Drive

 Jackson, CA 95642

**Complaint Forms can also be obtained at** [**www.amadortransit.com**](http://www.amadortransit.com)

**Federal Transit Administrations (FTA) Title VI Complaints may be filed directly to:**

 **Federal Transit Administration Office of Civil Rights**

 Title VI Program Coordinator

 East Building, 5th Floor – TCR

 1200 New Jersey Avenue, SE

 Washington, D.C. 20590