

Title VI Transit Program Manual

Panhandle Developmental Disabilities Services, Inc./Region I Office of Human Development

Demand Response Transit Plan 2014



All entities who receive Federal Transit Administration (FTA) grant dollars either directly from the FTA or through the Nebraska Department of Roads (NDOR) are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation's implementing regulations.

This manual provides technical assistance of the Title VI compliance requirements.



Table of Contents

I.	Plan Statement.....	3
II.	Policy.....	3
III.	Governing Board	3
IV.	General Reporting Requirements.....	3
1.	Requirement to Provide Title VI Assurances.....	3
2.	Requirement to Prepare and Submit a Title VI Program.....	3
3.	Requirement to Notify Beneficiaries of Protection under Title VI.....	4
4.	Requirement to Develop Title VI Complaint Procedures and Complaint Form	4
5.	Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits.....	4
6.	Requirement to Promote Inclusive Public Participation	4
7.	Requirement to Provide Meaningful Access to LEP Persons	4
8.	Minority Representation on Planning and Advisory Bodies	4
9.	Requirement to Provide Assistance to Subrecipients.....	5
10.	Requirement to Monitor Subrecipients	5
11.	Determination of Site or Location of Facilities.....	5
12.	Requirement to Provide Additional Information upon Request.....	6
V.	Requirements for Fixed-Route Transit Providers	Error! Bookmark not defined.
VI.	Title VI Transit Program Plan Appendices.....	6

Panhandle Developmental Disabilities Services, Inc. Title VI Transit Program

I. Plan Statement

Panhandle Developmental Disabilities Services, Inc./ Region I Office of Human Development(OHD) operates a demand-response route in the area of the eleven counties of the Panhandle of Nebraska (Sioux, Dawes, Sheridan, Box Butte, Morrill, Scotts Bluff, Banner, Kimball, Cheyenne, Deuel and Garden counties). As a condition of receiving Federal Transit Administration (FTA) financial assistance from the U.S. Department of Transportation (DOT) to operate these services, transit agencies must ensure that their programs, policies, and activities comply with DOT's Title VI regulations. The following program was developed to guide **Panhandle Developmental Disabilities Services, Inc./ OHD** in its administration and management of Title VI-related activities, and details how **Panhandle Developmental Disabilities Services, Inc./ OHD** meets the requirements set forth in FTA Circular 4702.1B.

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

“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.”

II. Policy

Panhandle Developmental Disabilities Services, Inc./ OHD is committed to ensuring that no person, on the basis of race, color, or national origin, will be excluded from participation in or subjected to discrimination under its programs or services, or be denied the benefits of the level and quality of transit services provided by **Panhandle Developmental Disabilities Services, Inc./ OHD Inc.** employees, affiliates, and contractors.

III. Governing Board

The governing board **Panhandle Developmental Disabilities Services, Inc./ OHD** transit system is comprised of eleven elected members who represent public officials, private interests, and minority, low-income, and LEP persons within its service area.

IV. General Reporting Requirements

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and sub-recipients of FTA funding to ensure that their activities comply with DOT Title VI regulations. Below are summaries of each requirement, and details on how the **Panhandle Developmental Disabilities Services, Inc. / OHD** Title VI Transit Program fulfills each requirement.

1. Requirement to Provide Title VI Assurances

Panhandle Developmental Disabilities Services, Inc. / OHD annually submits its Certifications and Assurances to the Nebraska Department of Roads (NDOR). NDOR collects **Panhandle Developmental Disabilities Services, Inc.'s / OHD** Title VI assurances prior to passing through FTA funds.

2. Requirement to Prepare and Submit a Title VI Program

Panhandle Developmental Disabilities Services, Inc.'s Board of Directors will approve this Title VI Program by resolution. The effective date will be the date of the resolution.

Panhandle Developmental Disabilities Services, Inc. / OHD receives Federal funding through the Nebraska Department of Roads Transit Section. NDOR administers **Panhandle Developmental Disabilities Services, Inc.'s** transit service FTA

funding, and provides all Title VI program oversight for **Panhandle Developmental Disabilities Services, Inc. / OHD**

3. Requirement to Notify Beneficiaries of Protection under Title VI

Panhandle Developmental Disabilities Services, Inc. has developed a public Title VI Notice to Beneficiaries following the guidelines set out in FTA Circular 4702.1B, Appendix 2. A copy of this notice is found in Appendix 2 of the current Title VI Transit Program Manual. This notice is displayed in public locations at City Hall and the **Panhandle Developmental Disabilities Services, Inc. / OHD** Central Office in Scottsbluff, Nebraska. The notice is also on display within **Panhandle Developmental Disabilities Services, Inc.'s / OHD** service vehicles, and is posted on the following website: www.regohd.org.

4. Requirement to Develop Title VI Complaint Procedures and Complaint Form

Panhandle Developmental Disabilities Services, Inc. / OHD has developed Title VI Complaint Procedures and a Title VI Complaint Form. Appendix 4 of the current Title VI Program outlines Panhandle Developmental Disabilities Services, Inc.'s Title VI Complaint Procedures, and Appendix 5 contains a copy of Panhandle Developmental Disabilities Services, Inc.'s Title VI Complaint Form. The complaint procedures and complaint form are available in English and Spanish on the agency's webpage at www.regohd.org. Individuals who do not have access to the internet may request that **Panhandle Developmental Disabilities Services, Inc. / OHD** mail them a paper copy of the procedures and form.

5. Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits

Panhandle Developmental Disabilities Services, Inc./ OHD will maintain a list of all investigations, lawsuits, and complaints naming Panhandle Developmental Disabilities Services, Inc. / OHD, in accordance with the guidelines specified by FTA C 4702.1B. A copy of this list is provided in Appendix 6 of the current Title VI Program Manual. In addition, Panhandle Developmental Disabilities Services, Inc. will maintain permanent records of all related documents. Neither this agency nor the Nebraska Department of Roads have received any Title VI complaints of discrimination, and therefore there are no investigations or lawsuits to report at this time; however, processes are in place in the instance that complaints are made.

6. Requirement to Promote Inclusive Public Participation

Panhandle Developmental Disabilities Services, Inc.'s / OHD Title VI Public Participation Plan is provided in Appendix 9 of the current Title VI Transit Program Manual. Panhandle Developmental Disabilities Services, Inc.'s Public Participation strategies are in place to ensure that minority and LEP populations, as with all members of the public, will be empowered to participate in decisions involving Panhandle Developmental Disabilities Services, Inc.'s transit system.

7. Requirement to Provide Meaningful Access to LEP Persons

Please refer to Panhandle Developmental Disabilities Services, Inc.'s [Language Assistance Plan](#), located in Appendix 5 of the current Title VI Program Manual, which includes the results of Panhandle Developmental Disabilities Services, Inc.'s Four Factor Analysis and details the actions and strategies that will be adopted by Panhandle Developmental Disabilities Services, Inc. to ensure meaningful and equitable access to Panhandle Developmental Disabilities Services, Inc.'s programs and services for LEP persons.

8. Minority Representation on Planning and Advisory Bodies

Panhandle Developmental Disabilities Services, Inc. (**circle does or does not**) currently have a nonelected transit board however the Advisory Committee of Region I Office of Human Development (which leases and operates the vehicles) is representative of the people served by the agency and does ensure proper minority representation on said Advisory Committee. Appendix 10 of the current document contains Panhandle Developmental Disabilities Services, Inc.'s "Table

Depicting Minority Representation on Committees and Councils Selected by the City of **Scottsbluff**,” which would be utilized to report the racial makeup of such a planning or advisory body in the event one were established.

9. Requirement to Provide Assistance to Subrecipients

NDOR has provided the following information to assist Panhandle Developmental Disabilities Services, Inc. in administering its Title VI Program requirements:

- A. A sample Title VI Notice to the Public for the purpose of informing beneficiaries of their rights under DOT’s Title VI regulations;
- B. Public procedures for filing a Title VI complaint, as well as an agency Title VI Complaint form.
- C. Sample procedures for tracking and investigating Title VI complaints. Panhandle Developmental Disabilities Services, Inc. will notify NDOR in the event that complaints are received.
- D. Demographic information on the race and English proficiency of residents served by Panhandle Developmental Disabilities Services, Inc.. This information will assist Panhandle Developmental Disabilities Services, Inc. in assessing the level and quality of service it provides to communities within its service area, and in determining the need for language assistance.
- E. Other data obtained by NDOR, such as travel patterns and surveys, will assist Panhandle Developmental Disabilities Services, Inc. in meeting all Title VI requirements.

10. Requirement to Monitor Subrecipients

In order to ensure that its subrecipient, **Panhandle Developmental Disabilities Services, Inc.**, is in compliance with the requirements of Title VI, NDOR will do the following:

- A. **Document Panhandle Developmental Disabilities Services, Inc.’s** process for ensuring compliance with the general reporting requirements of FTA Circular 4702.1B.
 - Collect an electronic file of **Panhandle Developmental Disabilities Services, Inc.’s**
- B. Title VI Program and review the program for compliance.
- C. At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary, NDOR shall request that **Panhandle Developmental Disabilities Services, Inc.** verify that their level and quality of service is provided on an equitable basis. Because **Panhandle Developmental Disabilities Services, Inc. (circle does or does not)** run fixed route service, it (**circle is or is not**) also responsible for reporting as outlined in Chapter IV of FTA Circular 4702.1B.

11. Determination of Site or Location of Facilities

Panhandle Developmental Disabilities Services, Inc. will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects.

Panhandle Developmental Disabilities Services, Inc. will 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. **Panhandle Developmental Disabilities Services, Inc.** 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 prior to the selection of the preferred site.

When evaluating the locations of facilities, **Panhandle Developmental Disabilities Services, Inc.** will give attention to other facilities with similar impacts in the area to determine whether any cumulative adverse impacts might result. Analysis will be conducted at the Census tract or block group, where appropriate, to ensure that proper perspective is given to localized impacts.

If **Panhandle Developmental Disabilities Services, Inc.** determines that the location of a project will result in a disparate impact on the basis of race, color, or national origin, **Panhandle Developmental Disabilities Services, Inc.** will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and when there are no alternative locations that would have a less disparate impact on the basis of race, color, or nation origin. **Panhandle Developmental Disabilities Services, Inc.** will show how both tests are met, and will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin; **Panhandle Developmental Disabilities Services, Inc.** will then implement the least discriminatory alternative.

12. Requirement to Provide Additional Information upon Request

Panhandle Developmental Disabilities Services, Inc. will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.

Panhandle Developmental Disabilities Services, Inc. Title VI Transit Program Plan Appendices

Appendix 3: Title VI Notice to the Public

Title VI Notice to the Public

Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.

operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with **Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.**

For more information on **Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.** civil rights program and the procedures to file a complaint, contact the Transit Manager, Robert Davis at 308-635-3444; go online at www.regohd.org; or contact the Nebraska Department of Roads Transit Section Liaison Manager at:

State of Nebraska
Nebraska Department of Roads
Attn: Kari Ruse, Transit Liaison Manager
1500 Hwy 2
P.O. Box 94759
Lincoln, NE 68509-4759
(402)-479-4694
Kari.ruse@nebraska.gov

A complainant may also file a complaint directly with the Federal Transit Administration by contacting the Office of Civil Rights at:

Federal Transit Administration
Office of Civil Rights

Attn: Title VI Program Coordinator
East Building, 5th Floor–TCR
1200 New Jersey Ave., SE
Washington, D.C., 20590

If information is needed in another language, contact (insert phone #).

Appendix 4: Title VI Complaint Procedures

Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by **Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.** may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. (Insert acronym) investigates complaints received no more than 180 days after the alleged incident. **Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.** will process complaints that are complete.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the form provided. Complaints must include the complainant’s name, address, and telephone number, and must be detailed to specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin. Title VI complaints of discrimination may be filed with:
Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.

Attn: Robert Davis
2603 Circle Drive
PO Box 1327
Scottsbluff, NE. 69363

Once the complaint is received, (insert acronym) will review it to determine whether our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by **Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.**

Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc.

has 30 days to investigate the complaint. If more information is needed to resolve the case, (insert acronym) may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident and explains whether 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 30 days after the date of the closure letter or the LOF to do so.

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

**Federal Transit Administration
Office of Civil Rights**
Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Avenue SE
Washington, D.C., 20590

Appendix 5: Title VI Complaint Form

Section 601 under Title VI of the Civil Rights Act of 1964 states,

“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.”

If you feel you have been discriminated against, please provide the following information in order to assist **XXX in processing your complaint.**

SECTION 1 (Please print clearly):

Name:

Address:

City, State, Zip Code:

Telephone Number:

_____ (Home) _____ (Work)

Accessible format requirements?

(Large print) _____ (Audiotape) _____ (TDD) _____ (Other) _____

SECTION 2

Are you filing this complaint on your own behalf? (Yes) ___ (No) ___ If you answered yes to this question, go to Section 3.

If not, please supply the name and relationship of the person for whom you are complaining:

Name: _____ Relationship: _____

Please explain why you have filed for a third party: _____

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of the third party. (Yes) _____ (No) _____

SECTION 3

I believe the discrimination I experienced was based on (check all that apply):

_____ Race _____ Color _____ National Origin Date and Place of

Occurrence:

Name (s) and Title(s) of the person (s) who I believe discriminated against me:

The action or decision which caused me to believe I was discriminated against is as follows:

(Please include a description of what happened and how your benefits were denied, delayed or affected):

Please list any and all witnesses' names and phone numbers:

What type of corrective action would you like to see taken?

SECTION 4

Have you previously filed a Title VI complaint with this agency?

_____ (Yes) _____ (No)

SECTION 5

Have you filed this 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 _____ Local Agency _____
Federal Court _____
State Agency _____
State Court _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____ Title: _____ Agency: _____
_____ Address: _____
Telephone Number: _____

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

I believe the above information is true and correct to the best of my knowledge.

Signature and date required below:

Signature **Printed Name**

Date

Please submit this form in person at the address below or mail this form to:

Panhandle Developmental Disabilities Services, Inc.
Attn: Robert Davis
Title VI Transit Manager
Address: 2603 Circle Drive
PO Box 1327
Scottsbluff, NE. 69363-1327

Per FTA Circular 4702.1B, “all recipients are required to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin”:

- Active investigations conducted by FTA and entities other than FTA
- Lawsuits; and
- Complaints naming the recipient

Thus far, **Panhandle Developmental Disabilities Services, Inc.** (indicate here whether you have or **have not** received) Title VI investigations, complaints, or lawsuits. Below is the list that will be used for tracking these incidents:

Investigations, Lawsuits, and Complaints

	Date (Month, Day, Year)	Summary (Include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Appendix 7: Letter Acknowledging Receipt of Title VI Complaint

Today's Date

Ms. Jane Doe 1234
Main St.
Any City, NE
12345

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against _____ (Name)
alleging

An investigation will begin shortly. If you have additional information you wish to convey, or questions concerning this matter, please feel free to contact this office by telephone at (308) 635-3444, or write to:

Panhandle Developmental Disabilities Services, Inc.
Attn: Robert Davis
Title VI Transit Manager
2603 Circle Drive
PO Box 1327
Scottsbluff, NE. 69361

Sincerely,

Robert Davis
Title VI Transit Manager

**Appendix 8: Letter of Finding
(Notifying Complainant that Complaint Is Substantiated)**

Today's Date

Ms. Jane Doe Address
Any City, NE 12345

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against **XXX** alleging a Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of this matter. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from Federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Robert Davis Title VI Transit Manager

**Appendix 9: Closure Letter
(Notifying Complainant that the Complaint Is Not Substantiated)**

Today's Date

Ms. Jane Doe Address
Any City, NE 12345

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against **XXX** alleging
_____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 have in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.

XXX has analyzed the materials and facts pertaining to your case for evidence of **XXX's** failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to appeal this decision within 30 calendar days of receipt of this final written decision from **XXX**.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to contact me.

Sincerely,

Robert Davis Title VI Transit Manager

Appendix 10: Public Participation Plan (EXAMPLE ONLY)

Public participation is the process a government entity or organization uses to gather information from the public when public transportation action is being contemplated. The thoughts and feelings of the public are then taken into consideration when evaluating the action. Typically, comment for public transportation projects is sought through public notices and hearings. This process provides for:

1. Opportunities for early and continuing participation.
2. Timely dissemination of information to the public and other interested groups.
3. Reasonable public access to technical and policy information.
4. Timely public notice and an adequate review period through this process.
5. Consideration of the needs of those under-served by transportation.
6. Adequate public review of major project revisions.
7. Encouraging public comments.
8. Documentation of public comments.

Public participation for general public transportation systems is required at a minimum prior to the following actions:

1. Changing fares (public hearing)
2. Changing service (public hearing)
3. Submitting an application for a capital project (public hearing)
4. Submitting an application for operating expenses (public notice)

Panhandle Developmental Disabilities Services, Inc. holds annual public meetings prior to the submission of new applications for transit funding. These meetings are advertised in the local newspaper, and are held at convenient locations and times to encourage the participation of the public, including minority and LEP persons.

Additionally, Panhandle Developmental Disabilities Services, Inc. holds annually or as needed. The meetings are open to the public and held at convenient times and in convenient locations.

In the instance of a proposed major change in service, Panhandle Developmental Disabilities Services, Inc. holds a public meeting for the purpose of information dissemination and gathering public opinion regarding the proposed change.

When Panhandle Developmental Disabilities Services, Inc. applies for federal funds for a capital project or when requesting a change in its transit program (fares and service), it shall schedule and conduct a public hearing to notify the public of such meeting at least 14 days in advance. The public hearing will ensure local and regional input has been gathered and considered. All public hearings will be scheduled at a time and place accessible and convenient for the general public to attend.

To properly notify the public prior to the hearing, the following process shall be followed:

1. Panhandle Developmental Disabilities Services, Inc. will publish a public hearing notice twice in a newspaper having general circulation in the vicinity of the proposed project.
2. Panhandle Developmental Disabilities Services, Inc. will publish the first notice 14 to 21 days prior to the hearing but not less than 14 days.
3. Panhandle Developmental Disabilities Services, Inc. will publish the second notice 5 to 12 days before the hearing but not less than 5 days.

Panhandle Developmental Disabilities Services, Inc. shall forward with the application all documents to support that the public hearing was properly advertised and conducted. Documentation shall include the proof of publication affidavit from a newspaper for the hearing notice, the hearing agenda, and a summary of all comments.

Per Title 49 U.S.C., 5323(b), for any application for a capital project that will substantially affect a community or the public transportation service of a community, Panhandle Developmental Disabilities Services, Inc. shall also include certification that the following requirements have been met:

1. Provide an adequate opportunity for public review and comment for a capital project that will substantially affect a community or the public transportation services of a community.
2. Provide notice and hold a public hearing on the project if the project affects significant economic, social, or environmental interests. Notice of hearings shall include a concise description of the proposed project and shall be published in a newspaper of general circulation in the geographic area the project will serve.
3. Consider the economic, social, and environmental effects of the project.
4. Find that the project is consistent with official plans for developing the community.

When Panhandle Developmental Disabilities Services, Inc. applies for projects requesting funds for federal and state operating assistance, it shall include certification that the following requirements have been met:

1. Notify social service organizations and/or transportation providers in the area of the proposed transportation project.
2. Publish a public hearing notice to allow for local and regional input and review of the application. To properly notify the public that the transit system intends to submit an application for operating assistance, the following process shall be followed:

Panhandle Developmental Disabilities Services, Inc. shall forward with the application all documents that support the notification of social service organizations, other transportation providers and the general public that the application for operating assistance is pending submittal.

Sample Public Information Notice [PDF](#) [Word](#)

Sample Public Hearing Notice [PDF](#) [Word](#)

Public Participation Outreach Efforts over the Past Three Years

Within the past three years, Panhandle Developmental Disabilities Services, Inc. has developed and maintains a website and social media platform (Facebook) which are both regularly used to inform the

public, including minority and LEP persons, of Panhandle Developmental Disabilities Services, Inc. activities. In addition, Panhandle Developmental Disabilities Services, Inc. has provided advanced notice of public meetings, and scheduled these meetings in convenient locations and at convenient times of day, to facilitate community participation.

Appendix 11: Table Depicting Minority Representation on Committees and Councils Selected by Panhandle Developmental Disabilities Services, Inc.

The **Panhandle Developmental Disabilities Services, Inc.** demand response transit system **(circle does or does not)** have transit-related, non-elected planning boards, advisory councils, or committees, or similar bodies, the membership of which is selected by the **County of Scotts Bluff**. Below is a table that the **County/City of Scottsbluff** would use in the event that its committees and councils were selected.

The **County/City of Scottsbluff** strongly encourages the participation of minorities on such committees.

Membership of Boards, Councils, and Committees Broken Down by Race

Body	Caucasian	Latino	African American	Asian American	Native American
Population	<i>To be completed when applicable.</i>				
Non-elected Planning Board					
Advisory Council					
Committee					

Appendix 12: Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of Region I Office of Human Development/ Panhandle Developmental Disabilities Services, Inc. Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in or denied the benefits or services delivered by the City on the basis of race, color, or national origin, as protected by Title VI.

Your signature

Print your name

Date

Appendix 13: Employee Education Form

Title VI Policy

No person 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.

https://www.youtube.com/watch?feature=player_detailpage&v=MU_SfdA6E5w

All employees of **Panhandle Developmental Disabilities Services, Inc.** and its affiliates are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to Panhandle Developmental Disabilities Services, Inc. Title VI Transit Manager.

This form acknowledges that as an employee of **Panhandle Developmental Disabilities Services, Inc.**, I have completed **Panhandle Developmental Disabilities Services, Inc.** annual Title VI transit training, and am in full compliance with the rules and regulations governing Title VI.

Printed Name

Signature

Date

Appendix 14: SAMPLE Title VI Vehicle Poster

Notifying the Public of their Rights under Title VI

Panhandle Developmental Disabilities Services, Inc.

As a public transportation provider,

Panhandle Developmental Disabilities Services, Inc. offers its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with:

Scotts Bluff County/ Scottsbluff, NE.

Attn: Robert Davis, Title VI Transit Manager
2603 Circle Drive
PO Box 1327
Scottsbluff, NE. 69363

For more information on **Panhandle Developmental Disabilities Services, Inc.** grievance procedures, please contact **Robert Davis** Title VI Transit Manager. Grievance procedures are also available online via The Nebraska Department of Roads website at **XXX.XXXXXXXXXX.com.**

- A complainant may also file a complaint directly with the Federal Transit Administration at the following address:

Federal Transit Administration
Office of Civil Rights
Attention: Title VI Program Coordinator East
Building, 5th Floor – TCR
1200 New Jersey Avenue, SE Washington, DC
20590

INSERT YOUR LOGO HERE



Notifying the Public of their Rights under Title VI
Panhandle Developmental Disabilities Services, Inc.

As a public transportation provider,

- **Panhandle Developmental Disabilities Services, Inc.** offers its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with:

County/City of Scottsbluff
Attn: Robert Davis, Title VI Transit Manager
2603 Circle Drive
PO Box 1327

Scottsbluff, NE 69363

- For more information on **Panhandle Developmental Disabilities Services, Inc.** grievance procedures, please contact **Robert Davis**, Title VI Transit Manager. Grievance procedures are also available online via the Nebraska Department of Roads website at www.regohd.org
- A complainant may file a complaint directly with the Federal Transit Administration at the following address:

Federal Transit Administration

Office of Civil Rights

Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, D.C. 20590



Appendix 17: Language Assistance Plan (EXAMPLE ONLY)

Four Factor Analysis

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and costs. As indicated above, the intent of this guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.

The Four Factor Analysis presented below was conducted by the agency to serve as a guide for the Language Assistance Plan that follows.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program

Sections a-c below provide a description of (RECIPIENT NAME's) language and LEP characteristics. Sections d and e analyze the same data to provide insight into the geographic distribution of (INSERT AGENCY's) LEP population. Section f presents a summary of the findings from Factor 1.

a. *State-Level Language Profile*

To obtain a general picture of (AGENCY's) non-English and LEP language composition, 2008-2012 American Community Survey Data representing languages spoken at home for persons over five years of age was first obtained and analyzed. This analysis resulted in the following language profile:

Of # persons over the age of five residing within the State of Nebraska, a total of # (#%) speak English only. The remaining #% of the population over five can be divided into # non-English language groups. These language groups are listed in descending order by population in the table below.

As can be seen in Table 1.1, Spanish or Spanish Creole dwarfs all other non-English language groups. This group contains approximately twice the population of all other non-English language groups combined, and is approximately # times larger than the second-largest non-English language group, #.

b. *LEP Profile*

The same dataset was used to determine the number of LEP persons within each of the (AGENCY's) non-English language groups. This data is presented in descending order, by number of LEP persons per language group, in the table below. Note: "LEP" was defined as persons who reported speaking English "less than very well."

As can be seen in Table 1.2, the total LEP population was # persons, or, # of the total population over the age of five. Notably, # comprised approximately #% of the total LEP population, as illustrated in the table below. Notably, nearly half (49%) of Spanish speakers were identified as LEP.

For the next step in the analysis, non-English language groups containing totals of 1,000 or more LEP persons were identified. (Note: no language group contained an LEP population equal to 5% of the total State population). This threshold was based on Safe Harbor recommendations stating,

“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 persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations.”

The analysis identified seven # non-English language groups containing, respectively, 1,000 or more LEP persons. These groups and their LEP population totals are presented in descending order in the table below. For convenience, the groups are referred to throughout the remainder of this analysis as “Safe Harbor Languages.” Notably, the combined LEP total for the seven Safe Harbor Languages was #, equaling #% of the total LEP population (refer to Table 1.1); in other words, the Safe Harbor threshold selected for this analysis was highly representative of the State’s major LEP groups.

As can be seen in Table 1.3, # was by far the largest SHL, containing four times the number of LEP persons than the remaining six SHL combined, and approximately 13 times the number of LEP persons as the next-largest SHL.

c. Conclusions of State-Level Analysis

- **Nearly #% residents speak English.**
- Of (Agency’s) non-English speakers, approximately # people speak Spanish. This language also contains, by far, the highest proportion of LEP persons.

Factor 1a: How LEP persons interact with the recipient’s agency.

It is estimated that interactions with LEP persons would primarily occur between LEP persons and PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. office staff. While PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. staff report that their frequency of interaction with LEP persons is low (see factor 2a, below), it is estimated that LEP persons would interact with the agency primarily by email, and also at public meetings or hearings where input is specifically sought from LEP populations.

Factor 1b: The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice.

U.S. Census Bureau survey data regarding the literacy of LEP persons in their native language within the State of Nebraska could not be located, nor does PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. maintain such data at the current time. A search for data was therefore performed. Data collected by the Nebraska Department of Health and Human Services (2009) was identified. The data revealed that more than 85% of surveyed Spanish, Chinese, and Vietnamese speakers in the State of Nebraska identified themselves as reading “very well” or “well” in their primary language. **Aaron will seek additional data.

Factor 1c: Whether LEP Persons are Underserved Due to Language Barriers

It is estimated by PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. staff that the frequency of interaction with LEP persons is extremely low. Moreover, PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. has mechanisms in place to enable LEP

persons to interact with and receive services from PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.'s offices, as detailed in the Language Assistance Plan contained in the current document. It is therefore estimated that barriers do not currently prevent LEP persons from achieving equal access to PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.'s services.

Factor 2: The frequency with which LEP persons come into contact with the program

PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying staff. PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. has not received requests through our special emphasis program areas from individuals requesting interpreters or translation of program documents. PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. also solicits participation of minorities, low-income and LEP populations at public meetings on a project-by-project basis. While PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. encourages contact and reaches out to the LEP population through flyers, news releases, etc., very little contact is initiated by LEP individuals.

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

Transportation is one of the most fundamental and important elements of American life. Therefore, PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. considers each of its programs, services, or activities to be of high importance. However, of primary importance is that the public, no matter their level of English language proficiency, be able to express their views on transportation policy in a meaningful way. LEP persons must have opportunity to speak in a meaningful way with PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. employees at public meetings and in other settings, and they must have multi-lingual access to printed PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. information. It is in these types of public involvement activities that PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. must be most sensitive to the needs of LEP persons. It is with this in mind that PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. chooses its Language Assistance Measures. The Language Assistance Measures should affirm the high importance of transportation-related information, while also recognizing that, in some cases, certain Language Assistance Measures appropriate for use by other governmental agencies would be excessive or inefficient in the performance of PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. duties.

Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. regularly reviews its available resources, including those that could be used for providing LEP assistance. Given the relatively low numbers of LEP persons and thus the relatively low level of regularly-provided Language Assistance Measures needed, budgetary considerations are not anticipated to limit the language services provided by PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.. As rising or falling numbers or percentages of LEP persons in Nebraska (or increased contact with LEP persons by PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC. staff) necessitate the occasional revision of this Plan, budgetary considerations will likewise be reappraised and amended.

The Four-Factor analysis above indicates that, while the LEP population in the agency service area is small and interaction with the LEP population by (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) is infrequent, a need for LEP services does exist. The Census data analyzed above, combined with the admitted importance of transportation information and services to the community, demand an effort by (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) to be inclusive of LEP persons in transportation decision-making. The primary concern of (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) is LEP inclusion in the making of transportation policy, as stated in Factor 3 of the Four Factor Analysis above. (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) devises its outreach efforts and language assistance measures with this concern in mind. There is no doubt that at (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.), Public Information Meetings and Public Hearings are the primary vehicles for public involvement. There is rarely a better opportunity for the public to interact with a variety of transportation professionals, and to view a variety of transportation-related documents and materials, all at once and in one location. Given this fact, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) tries to focus its primary LEP efforts on the chain of events that surround a public meeting.

Public Meeting Language Assistance

(PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.)'s LEP outreach efforts *prior* to public meetings will include the following specific tasks:

The Civil Rights Specialist, as part of a comprehensive early review of each (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) Project, will use U.S. Census and other data to determine the languages spoken in and around the project site. The affected area considered might be larger or smaller depending on the project size and location, but typically the Specialist considers the language data of the U.S. Census tract where the project is situated, and the surrounding contiguous U.S. Census tracts. The "affected area" is not simply the area directly impacted by the project, or the area within the physical limits of the project. Affected areas include those indirectly affected by transportation projects.

If a language other than English is spoken in the affected area by greater than 5% of the population, or greater than 1,000 persons, any written information released prior to the Public Meeting will be translated into the appropriate language(s). This includes, for example, NEPA scoping letters, legal notices, door-to-door handouts, project information sheets, or comment forms. If appropriate, this information will make clear to the LEP persons that an interpreter will be available, free of cost, at the meeting. (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) will identify sources of media frequently used by LEP populations in an affected area (such as local or ethnic newspapers, radio stations, etc.) so that meeting notices can be included in those publications.

The Civil Rights Specialist will contact community leaders and organizations representative of the non-English speaking population to determine the most efficient way to distribute translated information to LEP persons. These organizations might include community centers, churches, schools, sports clubs, and so forth as circumstances dictate.

(PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.)'s LEP outreach efforts *during* Public Meetings will include the following specific tasks:

If a language other than English is spoken in the affected area by greater than 5% of the population, or greater than 1,000 persons, all written information released at the Public Meeting will be translated into the appropriate language(s). This includes, for example, project information sheets, meeting sign-in sheets, and comment sheets.

If a language other than English is spoken in the affected area by greater than 5% of the population, or greater than 1,000 persons, an interpreter will be available to verbally relay information between LEP persons and (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) representatives. Signs will be posted at Public Meetings in conspicuous places notifying LEP persons of the availability of an interpreter. Although videos created for (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) Public Meetings are not typically translated, the interpreter will be available to verbally relay the language in the videos to LEP persons. The availability of an interpreter for videos is displayed prominently, via sign, in the area of the meeting-place where the video is being shown.

Other LEP Outreach Methods and Scenarios

LEP outreach by (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) must exist not only in the planning of specific projects, as covered by the above outreach methods, but on a broader agency level. (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.)'s daily operations must be performed in a manner that allows equal access to its programs, services, and information for persons with limited English proficiency.

Document Translation

(PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) typically places new documents or policies online for public review and comment. To ensure accessibility by LEP persons, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) will provide notice that these new documents will be translated into any language upon request. Further, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) will provide translation of any document upon request, and a notice of such will be placed on the (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) website in English and Spanish.

The following documents have been translated into Spanish and made available on the (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) website:

These documents are regularly translated into Spanish or other languages as the need arises:

- Public Meeting/Hearing Information Sheets
- Public Meeting/Hearing Comment Sheets
- Surveys for LEP Populations
- Legal Notices of Public Meetings/Hearings

In-Person Language Assistance

(PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) will implement the following LEP procedures for encounters with LEP persons in (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) facilities:

“I Speak Cards”

Census Bureau “I Speak Cards” are and will continue to be located at each division and district reception area or business office location. “I Speak Cards” are a form of multi-lingual flash card used to identify the language used by an LEP individual. Once the language has been identified, an over-the-phone interpreter service, or (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.)’s employee volunteer interpreter listing (described below) can be used to effectively communicate with the LEP individual.

Telephone Interpreter Lines

When needed, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) staff will be able to use the telephone “Language Line” provider to connect with the language needs of LEP customers. In over-the-phone interpretation, Language Line interpreters are able to listen to the LEP individual, analyze the message, and accurately convey its original meaning to the (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) employee. This service provides interpretation in 170 languages. These languages represent approximately 98.6% of speaker requests from the 6,809 languages spoken in the world today.

In addition, Language Line is able to complete Document Translation to assist (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) in developing printed materials to provide information to LEP Individuals. (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) employees may also contact the Communications Division, or the Highway Civil Rights Coordinator, regarding the translation of additional documents that are helpful to the public.

Employee Volunteer Interpreter List

In addition to the aforementioned over-the-phone interpreting service, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) has developed a listing of employees fluent in language speaking skills other than English. During cases of need, these employees may be asked to serve as a short-term interpreter until alternate arrangements can be made. This list is accessible through the (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) Intranet.

Through its employee resources, (PANHANDLE DEVELOPMENTAL DISABILITIES SERVICES, INC.) is able to communicate, at a minimum, in Spanish, Pashto, Persian, Portuguese, Swahili, Urdu, and Vietnamese.