

**CONCHO VALLEY
TRANSIT DISTRICT**

**CIVIL RIGHTS ACT OF
1964**

TITLE VI PROGRAM

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Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance: (42 U.S.C. Section 2000d).

Concho Valley Transit District (CVTD) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Title VI Information Dissemination

Title VI information posters will be prominently and publicly displayed in the CVTD Multi-Modal facility and on all revenue vehicles. The Title VI Plan will also be posted on CVTD’s website at www.cvtd.org.

Title VI information shall be disseminated to CVTD employees annually via the Employee Education form (Appendix A). This form reminds employees of the CVTD policy statement and of their Title VI responsibilities in their daily work and duties.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (Appendix B).

Record Keeping

The Title VI Coordinator, or his/her designee, will maintain permanent records, which include, but are not limited to, signed Acknowledgements of Receipt from employees indicating the receipt of the CVTD Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

Organization and Staffing – General

The Executive Director is responsible for ensuring the implementation of the Concho Valley Transit District’s Title VI program. The Title VI Coordinator or investigator is responsible for the overall management of the Title VI program. The day-to-day administration of the program lies with the Title VI Coordinator.

Title VI Coordinator Contact Information
Concho Valley Transit District, Title VI Coordinator
(325) 947-8729

Program Administration and Title VI Coordinator's Responsibilities

As authorized by the Executive Director of the Concho Valley Transit District (CVTD), the Title VI Coordinator is responsible for initiating, monitoring, and ensuring CVTD's compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by CVTD in accordance with Complaint Procedures. If any individual believes that he or she or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin he or she may exercise their right to file a complaint with CVTD. Every effort will be made to resolve complaints informally at the local and contractor level.
2. Collect statistical data (race, color, and national origin) of participants in, and beneficiaries of federally funded transit programs, i.e., impacted citizens, and affected communities. Each of the Title VI special emphasis program areas will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is sufficient in meeting the Title VI program administration requirements.
3. Review special emphasis program areas to determine the effectiveness of program area activities at all levels. In addition to the day to day monitoring, all special emphasis program areas will be reviewed annually to ensure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator and program liaisons will coordinate efforts to ensure equal participation in their program areas and activities at all levels.
4. Conduct Title VI reviews when necessary of contractors and other recipients of federal aid funds.
5. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process, to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
6. Develop Title VI information for Public Dissemination and Limited English Proficiency. Ensure dissemination to the general public and, where appropriate, in languages other than English. CVTD will disseminate Title VI Program information to District employees, contractors, subcontractors, consultants, and sub-consultants as well as the general public. Public dissemination will include posting of public statements ([Appendix D](#)) and inclusion of Title VI language in contracts. The Title VI Policy Statement will be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications.

7. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year.
8. Schedule training for Title VI related statutes for appropriate CVTD employees. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints.
9. Identify and eliminate discrimination when found to exist. Work with CVTD offices and departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.
10. A list of all Title VI complaints, investigations and lawsuits received since the last Title VI Program submission will be provided to FTA in the three year update (Appendix I).
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period not to exceed 90 days. The CVTD will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period not to exceed 90 days.
12. Maintain updated legislative and procedural information regarding CVTD's Title VI Program. This will include federal laws, rules and regulations, local guidelines, CVTD Plan and updates, and other resource information pertaining to Title VI issues.

~~Complaint Procedures for Programs and Activities including Federally Assisted Programs~~

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 relating to any transportation or program or activity administered by CVTD, as well as to sub-recipients, consultants, and contractors. These procedures apply to complaints filed against a program and/or activity funded by either the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and other Federal offices.

The complainant may file a signed, written complaint up to one hundred eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

1. Your name, mailing address, and how to contact you (i.e. telephone number, email address, etc.)

2. How, when, where, and why you believe you were discriminated against. Include the location, names, and contact information of any witnesses
3. Other information that you deem significant

The Title VI Complaint Form (Appendix E) may be used to submit the complaint information. Title VI Complaints are to be filed in writing to:

Title VI Coordinator
Concho Valley Transit District
2801 W. Loop 306 – Suite A
San Angelo, TX 76904

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by CVTD will be directly addressed by CVTD. CVTD shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, CVTD shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledgment of receipt of complaint (Appendix F) will be mailed within seven (7) days. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which do not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

How will the complainant be notified of the outcome of the complaint?

CVTD will send a final written response letter (Appendix G or H) to the complainant. In the letter notifying the complainant that the complaint is not substantiated (Appendix G), the complainant is also advised of his or her right to 1) appeal within seven (7) calendar days of receipt of the final written decision from CVTD, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Title VI Emphasis in Transportation Planning Process

San Angelo Metropolitan Planning Organization (SAMPO) annually updates and coordinates CVTD's future plans for transportation improvement programs and projects. The update also informs other CVTD jurisdictions of the current planning direction for transportation needs. Projects included in the update are the result of evaluation and prioritization of needs in various transportation areas. The evaluation process includes input from local jurisdictions and organizations, citizen groups, and private individuals.

In addition, SAMPO utilizes a comprehensive transportation planning process which incorporates input from the public. The process further entails the monitoring and collection of varied data pertaining to transportation issues. SAMPO also coordinates the establishment of new transportation corridors within the district.

SAMPO has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public has been invited to participate in these activities:

Transportation Improvement Plan (TIP). The TIP is a fiscally constrained three-year planning document that addresses transportation project and programs including: federal, state and local highways, transit, ridesharing, bike paths and pedestrian facilities. The TIP process includes public hearings and public comment periods.

Regional Transportation Coordination. CVTD is the lead agency for Regional Transportation Coordination in the Concho Valley Region. Coordination meetings are held quarterly with multiple stakeholders and other interested parties, with representatives from the following agencies/groups regularly attending: San Angelo Metropolitan Organization, Workforce Development Center, Area Agency on Aging, San Angelo Health Foundation, Concho Valley Council of Governments, and the United Way of the Concho Valley.

Board Meetings. The CVTD Board of Directors holds meetings at least quarterly and the public is invited to attend and given the opportunity to make comment.

Public Meetings. When new service is proposed, information is disseminated to the neighborhoods affected and public meetings are scheduled.

Title VI Responsibilities

1. Ensure that all aspects of the transportation planning process comply with Title VI.
2. Ensure participation of a cross section of various social, economic, and ethnic interest groups are represented in the planning process by disseminating program information to minority media and ethnic organizations and participating in roundtable meetings in minority communities when applicable.

3. Assist the Title VI Coordinator in gathering and organizing information for internal annual Title VI Update Reports.
4. Review the Program Development work program and other directives to ensure compliance with Title VI program requirements.
5. Gather statistical data on program participation regarding race, color, and national origin.

~~Limited English Proficiency Individuals: Four Factor Analysis and LEP Plan~~

Limited English Proficiency (LEP) Analysis and Assistance Plan

~~Strategies to provide meaningful access to LEP persons to ensure that they can communicate effectively will be achieved by applying the four factor analysis process provided as a guideline from the U.S. Department of Justice to determine LEP needs. The application of this four factor analysis is included in Appendix D of this Program.~~

~~As a result of the four factor analysis laid out in Appendix D, CVTD has developed an LEP Plan which can be found in Appendix E to provide language assistance to LEP individuals.~~

Individuals with a limited ability to read, write, speak, or understand English are limited English proficient, or “LEP.” According to the 2010 U.S. Census, LEP individuals accounted for 25.2 million, or 9 percent, of the US population over age 5. The number of LEP individuals in the United States grew 80 percent between 1990 and 2010. The highest concentrations of LEP individuals were found in the six traditional-destination states – California, Texas, New York, Florida, Illinois, and New Jersey. These states each had 1 million or more LEP residents and together represented 68 percent of the total LEP population.

Spanish-speaking LEP individuals accounted for 66 percent of the total US LEP population in 2010. The next two languages most commonly spoken were Chinese and Vietnamese, which accounted for 6 percent and three percent, respectively. While the predominance of Spanish eclipses other languages spoken by LEP individuals in terms of share and absolute number, the diversity of other LEP-spoken languages has important implications for government agencies, businesses, and communities in which LEP individuals reside, particularly when vital information must be communicated to all residents.

In 2010, five languages – Spanish, Chinese, Vietnamese, Korean, and Tagalog – were spoken by 79 percent of all LEP individuals. The six through tenth most common

languages spoken by LEP individuals – Russian, French Creole, Portuguese, and African languages – were distributed roughly equally.

Public transit is a key means of achieving mobility for many LEP persons. According to the 2000 Census, more than 11 percent of LEP persons aged 16 years and over reported use of public transit as their primary means of transportation to work, compared with about 4 percent of English speakers. Recent immigrants to the United States (including those persons who may not be limited English proficient) use public transportation at higher rates than native-born adults. Agencies that provide language assistance to persons with limited English proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers.

Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: (1) agencies that reach out to recent immigrant populations in order to prepare a language implementation plan send a positive message to these persons that their business is valued; and (2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant populations.

Legal Basis for Language Assistance Requirements

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

The U.S. DOT requires that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). DOT recommends that recipients use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the

benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

Evaluation

The 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 a program, activity, or service of the recipient or grantee; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity, or service provided by the recipient to people's lives; and (4) the resources available to the recipient and costs.

Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

The 2010 U.S. Census demographics indicated that Concho Valley Transit District (CVTD) is 37.3 percent Hispanic, and 53.6 percent Anglo. Using the 2010 U. S. Census CVTD has a 7% percent LEP Population that speaks Spanish.

LANGUAGE SPOKEN AT HOME				
Population 5 years and over	85,565	+/-197	85,565	(X)
English only	62,632	+/-913	73.2%	+/-1.0
Language other than English	22,933	+/-895	26.8%	+/-1.0
Speak English less than "very well"	6,545	+/-706	7.6%	+/-0.8
Spanish	21,047	+/-837	24.6%	+/-1.0
Speak English less than "very well"	5,988	+/-663	7.0%	+/-0.8
Other Indo-European languages	927	+/-315	1.1%	+/-0.4
Speak English less than "very well"	264	+/-252	0.3%	+/-0.3
Asian and Pacific Islander languages	715	+/-167	0.8%	+/-0.2
Speak English less than "very well"	264	+/-108	0.3%	+/-0.1
Other languages	244	+/-200	0.3%	+/-0.2
Speak English less than "very well"	29	+/-46	0.0%	+/-0.1

Factor 2: The Frequency with Which LEP Individuals Come Into Contact With Your Programs, Activities, and Services

CVTD has two primary types of transportation services that are provided to the general public, para-transit and fixed routes. All of these services are accessible by LEP persons and the areas we predict they originate. Although these services are accessible to LEP populations, we would like to grow the number of LEP riders by making available materials, training, and outreach services that would help serve this population better. CVTD has completed Spanish language translations of all vital documents and signage at the Multi-Modal Terminal and on all revenue vehicles.

Several of CVTD's drivers, both para-transit and fixed route, three customer service representatives, one supervisor, and the administrative office full-time receptionist speak Spanish with proficiency. Their ability to speak with our LEP population has allowed us to continue to serve the needs of the majority of the LEP public. Though this helps us significantly, there are many obvious barriers of having only a limited number of people who can assist most of our LEP population such as, but not limited to, being tied up with other tasks, unavailable during breaks, taking days off, and being busy communicating with other customers.

In order to better determine CVTD's current interactions with LEP populations, CVTD will administer an internal survey of its employees' experiences with LEP populations. The findings of the survey will hopefully provide us with areas of needed improvement.

Factor 3: Assessing the Nature and Importance of Program, Activity, or Service to LEP Individuals

Both types of transportation that CVTD provides are equally important to LEP individuals. Paratransit services provide transportation for critical needs that transcend all rider types. These rides provide critical access to medical appointments, nutrition, health and human service organizations, employment, pharmacies, and education. Additionally, para-transit services provide transportation to places that improve the quality of life, including friends, relatives, entertainment, and the arts. The five fixed routes in the City of San Angelo provide access to Angelo State University, Howard College, West Texas Training Center, Workforce Solution of the Concho Valley, and several branches of the Tom Green County Library system, all of which can assist in language and workforce education.

Factor 4: Resources Available to the Recipient and Costs

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

“A recipient’s level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. In addition, ‘reasonable steps’ may cease to be reasonable where the costs imposed substantially exceed the benefits. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.”

Based on this guidance, we have reviewed our resources and deemed that given the high concentration of LEP individuals in our service area, upon request we will translate our vital documents into the language requested to ensure accessibility.

With our limited funds chasing increasing demand, CVTD is not able to allocate funds solely for the purpose of assisting LEP populations. At the current time, CVTD does not have the technical assistance, experience, and funds to identify the total costs associated with fully implementing the necessary new or improved programs and services for LEP individuals.

Safe Harbor Stipulation

Federal law provides a “safe harbor” situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A “safe harbor” means that if a recipient provides written translation in certain circumstances, such action will be considered strong evidence of compliance with the recipient’s written-translation obligations under Title VI.

The failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides a guide for recipients that would like greater certainty of compliance that can be provided by a fact-intensive, four factor analysis. For example, even if a safe harbor is not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, it is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

Strong evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% of 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This "safe harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

LEP Program Action Plan

Within the next three years, CVTD will work at completing the following activities to further enhance its LEP Program as it relates to the provision of transportation services and transit-related benefits:

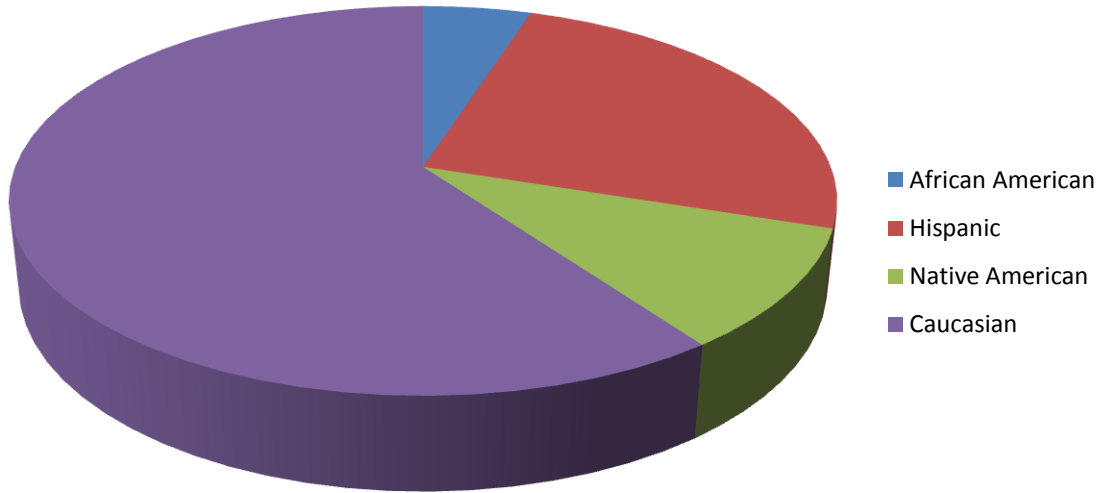
1. Identify language concentrations by census tract and fixed routes.
2. Establish relations with more agencies and organizations serving LEP persons.
3. Get feedback from agencies regarding key languages being used in the service area.
4. Get feedback from agencies regarding language services needed.
5. Identify the resources agencies may have to assist CVTD with LEP persons as it relates to provision of transportation services or transit-related benefits.
6. Explore the possibility of developing contracts or service relationships for language services.
7. Develop materials in alternate languages, as applicable.
8. Continue to provide training for drivers including how to respond to LEP individuals and awareness of services available in dealing with LEP individuals.
9. Continue to provide training for administrative and customer service staff including awareness of services available, how to respond to LEP individuals in person, to LEP callers, and to LEP correspondence.

Public Participation Procedures

~~The above specific language assistance measures to assist LEP individuals are intended to improve access for those in the non-English or limited English proficient populations, as well as those that qualify as low income to CVTD's public outreach and involvement procedures. CVTD's public participation procedures are found in **Appendix F**.~~

Minority Representation on Planning and Advisory Bodies

Planning and Advisory Bodies



Construction Program Requirement

If CVTD begins any construction projects, a Categorical Exclusion (CE) will be prepared for the NEPA requirement and the community disruption and environmental justice sections of FTA standard CE Checklist will be completed.

System-Wide Service Standards and Policies

1. Vehicle loads for the fixed route system set up by Concho Valley Transit District have been studied and set up to efficiently and effectively serve the community of the City of San Angelo with peak time vehicle loads being 1.1 and off-peak time loads being 0.7. If vehicle peak time loads exceeds 1.25 the driver will notify Dispatch and a supervisor will be consulted to relieve the pressure on that route until the demand diminishes.
2. Headway for fixed route system is 60 minutes at this time with exception of the lunch hour from 11:30 a.m. to 12:30 p.m. During this hour the fixed route system will not run. If traffic, construction or passenger load creates a delay in Headway the driver will contact Dispatch and a supervisor will be consulted to determine if relief is needed to correct the headway issue.
3. On-time performance will be measured in early or delayed arrival at locations spelled out in the route schedule or arrival back at the main terminal. These performance standards will be maintained in order to efficiently and reliably serve the public citizenry of San Angelo. Early arrival at any destination or designated location is not permissible. Late arrival at any destination or designated location is allowable up to 5 minutes after the designated time. If Construction, traffic or other factors cause a route to run in excess of 5 minutes late the driver will notify Dispatch and a supervisor will be consulted to determine if relief is needed to correct the delays.
4. The Service availability of our fixed routes will be determined based on Census information and likely need to the areas of the community based on demographics of the city, needs of the portion of the community intended to be served in those areas and population increase or decrease as well. All fixed routes have designated pick up areas but are also set up as a flag down system. If a customer is not at a designated pick up location but flags the bus to stop the bus will stop at the nearest safe location to conveniently accommodate the customer.
5. Distribution of transit amenities for our fixed route system includes but is not limited to bus stop benches at some designated bus stops depending on ridership and needs of the community. Printed signs are available in the Multi-Modal Terminal lobby as well as outside the lobby in public display cases. Also ample numbers of individual Route schedules with maps included are available at the Multi-Modal facility, in several locations around the city, and on CVTD's website at www.cvtd.org.
6. Vehicle assignments are assigned each day a vehicle determination is made depending on vehicle availability and ridership on each route. Generally speaking each fixed route will be assigned a bus capable of carrying 23 passengers and a total of two wheel chairs at a minimum. However, in the case where a bus of this size may not be available a smaller bus may be assigned to the Route with the lowest ridership and/or shortest route.

Appendix A
Employee Annual 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.

All employees of Concho Valley Transit District are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to the Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them, without regard to race, color or national origin.

Appendix B Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Concho Valley Transit District 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 of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

Employee Signature

Print Name

Date

Appendix C

Concho Valley Transit District Title VI Assurances

Concho Valley Transit District (hereinafter referred to as the "Recipient" or "CVTD"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d--42 USC 2000d--4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances:

1. That the Recipient agrees that each "program" and each "facility" as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program and Federal Transit Administration Program, and in adapted form in all proposals for negotiated agreements:

CVTD in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d---d4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

3. That the Recipient shall insert federal clauses pertaining to Title VI in every solicitation and contractual agreement.

4. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

5 That where the Recipient receives federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over or under such property.

6. That the Recipient shall include the appropriate clauses set forth in Appendix A of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.

7. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

8. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom she/he delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

9. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program.

Appendix D

Concho Valley Transit District Title VI Notice to Public

Concho Valley Transit District (CVTD) hereby gives public notice that it is CVTD's policy to assure full compliance with Title VI of the Civil Rights Act of 1964. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

CVTD is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. If you feel you are being denied participation in or being denied benefits of the transit services provided by CVTD, or otherwise being discriminated against because of your race, color, or national origin, gender, age, or disability, you may contact our Title VI Coordinator at (325) 947-8729. Any such complaint must be in writing and filed with the Concho Valley Transit District Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant by calling (325)947-8729 or on our website www.cvtd.org.

This notice is to be posted in the office of CVTD, in the CVTD Multi-Modal Terminal, on the District's website, and on all revenue vehicles.

Appendix E



Concho Valley Transit District



2801 W. Loop 306 suite A, San Angelo TX 76904
Office 325-944-9666 - Fax 325-947-8286

Title VI Complaint Form

Complaint Form Instructions: If you would like to submit a Title VI complaint to the Concho Valley Transit District (CVTD), please fill out the form below and send it to: Concho Valley Transit District, Attn: Title VI Coordinator, 2801 W. Loop 306, Suite A, San Angelo , Texas 76904. For questions or a full copy of CVTD's Title VI policy and complaint procedures call 325-947-8729

1. Name (Complainant):	
2. Phone:	3. Home address (street no., city, state, zip):
4. If applicable, name of person(s) who allegedly discriminated against you:	
5. Location and position of person (s) if known:	6. Date of incident:
7. Discrimination because of: <input type="checkbox"/> Race / Color <input type="checkbox"/> Sex (includes sexual harassment) <input type="checkbox"/> Vietnam Era Veteran <input type="checkbox"/> National Origin <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Disabled Veterans <input type="checkbox"/> Creed / religion <input type="checkbox"/> Marital Status <input type="checkbox"/> Retaliation <input type="checkbox"/> Disability <input type="checkbox"/> Age <input type="checkbox"/> Limited English	
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.	

9. Why do you believe these events occurred?

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):

Name:

Address:

Phone Number:

13. 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

Federal Court

State court

Local agency

State agency

If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.

Agency/Court:

Contact's Name:

Address:

Phone number:

Signature (Complainant)

Date of filing:



Concho Valley Transit District

2801 W. Loop 306 suite A, San Angelo TX 76904
Office 325-944-9666 - Fax 325-947-8286

Forma de Queja de Discriminación de Titulo VI Enviar forma firmada: Concho Valley Transit District, Attn: Title VI Coordinator, 2801 W. Loop 306, Suite A, San

Angelo, Texas 76904 o por fax al 325-944-9925

Apellido:		Nombre:
Teléfono:		Dirección:
Ciudad:	Estado:	Código Postal:
Correo Electrónico:		Teléfono Alternativo:
<p>Indica por favor la(s) base(s) de su queja:</p> <input type="checkbox"/> Raza _____ <input type="checkbox"/> Color _____ <input type="checkbox"/> Origen Nacional _____		
<p>Fecha y lugar de la(s) presunta(s) acción(es) discriminatoria(s). Favor de incluir la primera fecha de la presunta discriminación y la fecha más reciente de la presunta discriminación.</p>		
<p>Como se discrimino contra usted relacionado a transportación pública? Describa la naturaleza de la acción decisión a las circunstancias de la presunta discriminación. Explique, de la manera más clara posible, que sucedió y porque cree usted que su status protegido fue un factor en la discriminación. Incluya como otras personas fueron tratadas de distinta manera que usted. (Adjunte hojas adicionales de ser necesario).</p>		
<p>La ley prohíbe intimidación o represalias contra cualquier persona ya sea por tomar acción o por participar en la toma de acción para asegurar los derechos protegidos por estas leyes. Si usted siente que se han tornado represalias en su contra, aparte dela presunta discriminación mencionada anteriormente, favor de explicar las circunstancias a continuación. Explique la acción que usted tomo que cree sea la causa de la presunta represalia.</p>		
Nombre de los individuos responsables de la(s) acción(es) discriminatoria(s):		
Nombre de personas (testigos, compañeros de trabajo, supervisores u otros) a quienes podamos contactar para obtener información adicional para respaldar o aclarar su queja:)adjunte hojas		

adicionales de ser necesario).

Nombre:

Dirección:

Teléfono:

Alguna vez ha presentado, o tiene la intención de presentar, una queja con respecto a esta situación con cualquiera de las organizaciones que se mencionan a continuación? De ser así, favor de proporcionar las fechas en que se presentaron. Marque todas las que apliquen.

- Departamento de Transporte de los EE.UU. _____
- Administración Federal de Carreteras de los EE.UU. _____
- Administración de Transporte Federal de los EE.UU. _____
- Oficina de Programas de Cumplimiento de Contratos, Federales de los EE.UU. _____
- Comisión para la Igualdad de Oportunidades en el Empleo de los EE.UU. _____
- Tribunal Federal O Estatal de los EE.UU. _____
- Otros _____

Ha hablado sobre la queja con algún representante de CVTD? De ser así, favor de proporcionar el nombre y puesto de la persona y la fecha en la que tuvo la conversación.

Explique brevemente que remedio, o acción está usted buscando por la presunta discriminación.

Favor de proporcionar cualquier información adicional y/o fotografías, si son pertinentes, que usted crea ayudaran el la investigación.

No podemos aceptar una queja sin firma. Favor de incluir su firma y la fecha a continuación:

Firma del Demandante: _____ Fecha: _____

Appendix F

Letter Acknowledging Receipt of Complaint

[Today's Date]

[Complainant Name]
[Complainant Address]
[City, State ZIP]

Dear [Complainant Name],

This letter is to acknowledge receipt of your complaint against Concho Valley Transit District 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 telephoning 325-947-8729, or write to me at 2801 West Loop 306, Suite A, San Angelo, TX 76904.

Sincerely,

[Name]
Title VI Coordinator

Appendix G

Letter Notifying Complainant That the Complaint Is Substantiated

[Today's Date]

[Complainant Name]
[Complainant Address]
[City, State ZIP]

Dear [Complainant Name],

The matter referenced in your letter of _____ (date) against the Concho Valley Transit District alleging 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 the program. ***(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,

[Name]
Title VI Coordinator

Appendix H

Letter Notifying Complainant That the Complaint is Not Substantiated

[Today's Date]

[Complainant Name]

[Complainant Address]

[City, State ZIP]

Dear [Complainant Name],

The matter referenced in your complaint of _____ (date) against the Concho Valley Transit District alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of the Title VI Civil Rights Act of 1964 had 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.

Concho Valley Transit District has analyzed the materials and facts pertaining to your case for evidence of the agency'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 1) appeal within seven calendar days of receipt of this final written decision from CVTD, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

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

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

Sincerely,

[Name]

Title VI Coordinator

Appendix I

Concho Valley Transit District Title VI Compliance History

Concho Valley Transit District (CVTD) had last adopted a Title VI Program in September 2006. Below is a list of instances where CVTD has been involved with a Title VI complaint, investigation or lawsuit; and the actions taken on behalf of CVTD to resolve the issue:

- Lawsuits – none;
- Investigations – none;
- Complaints – none;

Appendix F—Concho Valley Transit District Limited English Proficiency Analysis

Factor 1 Assessing the Number or Proportion of LEP Persons served or Encountered in Eligible Service Population

The 2010 U.S. Census demographics indicated that Concho Valley Transit District (CVTD) is 37.3 percent Hispanic, and 53.6 percent Anglo. Using the 2010 U. S. Census CVTD has a 7% percent LEP Population that speaks Spanish.

LANGUAGE SPOKEN AT HOME	-	-	-	-
Population 5 years and over	85,565	+/-197	85,565	(X)
English only	62,632	+/-913	73.2%	+/-1.0
Language other than English	22,933	+/-895	26.8%	+/-1.0
Speak English less than "very well"	6,545	+/-706	7.6%	+/-0.8
Spanish	21,047	+/-837	24.6%	+/-1.0
Speak English less than "very well"	5,988	+/-663	7.0%	+/-0.8
Other Indo-European languages	927	+/-315	1.1%	+/-0.4
Speak English less than "very well"	264	+/-252	0.3%	+/-0.3
Asian and Pacific Islander languages	715	+/-167	0.8%	+/-0.2
Speak English less than "very well"	264	+/-108	0.3%	+/-0.1
Other languages	244	+/-200	0.3%	+/-0.2
Speak English less than "very well"	29	+/-46	0.0%	+/-0.1

Factor 2: Assessing the Frequency with Which LEP Individuals Come Into Contact with your programs, activities, and services

CVTD utilizes FTA funds in order to develop transit and pedestrian infrastructure that enhances individuals' ability to easily access the transit services provided predominantly by CVTD. So, the most likely instances that LEP persons would come in contact with the projects conducted by CVTD District is during planning, procurement, construction or boarding and alighting at the new transit terminal and new transit stops. CVTD makes the fact known during all public involvement programs, procurement endeavors, advertising efforts, and other instances that documents, instructions and other important materials can be translated into Spanish at no cost to the user. Very rarely does any of the construction require any detours or significant changes to accessing public transportation, so there is minimal disruption for transit users of CVTD. In the instance

~~where there are disruptions, CVTD will address any concerns while keeping LEP persons in mind.~~

~~*Factor 3: Assessing the Nature and Importance of Program, Activity or Service*~~

~~As stated in the Factor 2 analysis, CVTD utilizes FTA funds for the construction of pedestrian infrastructure. The construction of terminals, sidewalks, ADA ramps, pedestrian lighting and signalization provides benefit to all users of transit services, but does not have any unique impact on LEP persons. CVTD has the capability to translate all important documents and instructions into Spanish by utilizing either bilingual staff persons or services provided by an outside language translation agency.~~

APPENDIX F

LEP Implementation Plan

Task 1 – Identifying LEP Individuals Who Need Language Assistance

Number or Proportion of LEP Persons served or Encountered in Eligible Service Population

The 2010 U.S. Census demographics indicated that Concho Valley Transit District (CVTD) is 37.3 percent Hispanic and 53.6 percent Anglo. Using the 2010 U. S. Census the district has a 7.0 percent LEP Population that speaks Spanish.

LANGUAGE SPOKEN AT HOME	-	-	-	-
Population 5 years and over	85,565	+/-197	85,565	(X)
English-only	62,632	+/-913	73.2%	+/-1.0
Language other than English	22,933	+/-895	26.8%	+/-1.0
Speak English less than "very well"	6,545	+/-706	7.6%	+/-0.8
Spanish	21,047	+/-837	24.6%	+/- 1.0
Speak English less than "very well"	5,988	+/-663	7.0%	+/-0.8
Other Indo-European languages	927	+/-315	1.1%	+/-0.4
Speak English less than "very well"	264	+/-252	0.3%	+/-0.3
Asian and Pacific Islander languages	715	+/-167	0.8%	+/-0.2
Speak English less than "very well"	264	+/-108	0.3%	+/-0.1
Other languages	244	+/-200	0.3%	+/-0.2
Speak English less than "very well"	29	+/-46	0.0%	+/-0.1

Frequency with Which LEP Individuals Come Into Contact with your programs, activities, and services

CVTD utilizes FTA funds in order to develop transit and pedestrian infrastructure that enhances individuals' ability to easily access their transit services. So, the most likely instances that LEP persons would come in contact with the projects conducted by CVTD is during planning, procurement, construction or boarding and alighting at the

~~new CVTD Transit Terminal and Administration Facility and bus stops throughout the CVTD service area. CVTD makes the fact known during all public involvement programs, procurement endeavors, advertising efforts, and other instances that documents, instructions and other important materials can be translated into Spanish at no cost to the user. Very rarely does any of the construction require any detours or significant changes to accessing public transportation, so there is minimal disruption for CVTD transit users. In the instance where there are disruptions, CVTD works to address any concerns while keeping LEP persons in mind.~~

~~Task 2 - Language Assistance Measures~~

- ~~1. A Spanish speaking employee can be made available for translation purposes at every public contact counter.~~
- ~~2. CVTD has access to a language interpretation service that is available to provide language assistance in multiple languages.~~
- ~~3. Employment opportunities are advertised in Spanish and English.~~
- ~~4. Published informational brochures etc. regarding the CVTD are written in Spanish and English.~~

~~Task 3 - Training Staff~~

~~Training in LEP language assistance measures is provided in conjunction with orientation for new employees to identify resources and procedures when communicating with LEPs. The CVTD staff has the ability to proficiently translate oral conversations as well as written documentation from English to Spanish or vice versa.~~

~~TASK 4 - Providing Notice to LEP Persons~~

~~The public notice in Appendix B is posted in CVTD offices and on the CVTD website.~~

~~CVTD utilizes FTA funds in order to develop transit and pedestrian infrastructure that enhances individuals' ability to easily access their transit services. So, the most likely instances that LEP persons would come in contact with the projects conducted by CVTD is during planning, procurement, construction or boarding and alighting at the new CVTD Transit Terminal and Administration Facility and bus stops throughout the CVTD service area. CVTD makes the fact known during all public involvement programs, procurement endeavors, advertising efforts, and other instances that documents, instructions and other important materials can be translated into Spanish at~~

~~no cost to the user. Very rarely does any possible construction require any detours or significant changes to accessing public transportation, so there will be minimal disruption for CVTD transit users. In the instance where there are disruptions, CVTD works to address any concerns while keeping LEP persons in mind.~~

~~Appendix G — Public Participation Procedures~~

~~When planning for transportation capital projects such as a transit hub, multiple public meetings are planned and held in the proximity to the facility in the geographic area impacted by the construction and served by the transit facility. The public meetings are located in the geographic area to increase access of the low income and minority individuals of the facility service area.~~