

**TvT**

*Treasure Valley Transit*

**Treasure Valley Transit**

**TITLE VI**

**PLAN**

**2018**

## **1. Title VI Policy Statement**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin, sex, age, disability or retaliation in programs and activities receiving Federal financial assistance.

Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent related acts, provides that no person shall be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation. See also FTA Circular 4702.1.B

This Title VI Policy Statement and its contents also apply to any and all of TVT's sub-recipients.

If you feel you are being denied participation in or being denied benefits of the transit services provided by TVT, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact TVT's Title VI Officer at:

TVT  
Attn: Title VI Contact, Terri Lindenberg  
Treasure Valley Transit  
1136 W. Finch Drive  
Nampa, ID 83651  
208-463-9111  
terri@treasurevalleytransit.com

## **2. Title VI Information Dissemination**

Title VI information posters shall be prominently and publicly displayed in the TVT facilities and in the revenue vehicles. The name of the Title VI coordinator is available on TVT's website, at [www.treasurevalleytransit.com](http://www.treasurevalleytransit.com) Additional information relating to nondiscrimination obligation can be obtained from the TVT Title VI Coordinator.

Title VI information shall be disseminated to TVT employees annually via Open Enrollment Meetings. Employees will be asked to sign an acknowledgement that they have been reminded of TVT Policy statement and of their responsibilities in their daily work and duties.

During New Hire Orientation, new employees shall be given a copy of this plan and informed of the provisions of Title VI, and TVT's expectations to perform their duties accordingly.

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

### **3. Subcontractors and Vendors**

All contractors and vendors who receive payments from TVT where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

### **4. Record Keeping**

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of TVT's Title VI Plan, copies of the Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

### **5. Title VI Complaint Procedures**

#### **How to file a Title VI Complaint?**

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Treasure Valley Transit. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to Terri Lindenberg, the Title VI Coordinator for review and action.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, Terri Lindenberg or designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of Treasure Valley Transit the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Sponsor's investigative procedures as outlined below.

Please Note This Exception to the Procedures Below: All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department (ITD) for investigation.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as to ITD and/or the US Department of Transportation (USDOT).

Treasure Valley Transit will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address, and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received to Treasure Valley Transit.
- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions Treasure Valley Transit has taken or proposed to resolve the issue raised in the complaint.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to Treasure Valley Transit authorized representative. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, Treasure Valley Transit authorized representative

will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, or USDOT, if they are dissatisfied with the final decision rendered by Treasure Valley Transit. The Title VI Coordinator will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

TVT

Attn: Title VI Contact, Terri Lindenberg  
Treasure Valley Transit  
1136 W. Finch Drive  
Nampa, ID 83651  
208-463-9111  
terri@treasurevalleytransit.com

Idaho Transportation Department  
Equal Employment Opportunity Office – External Programs  
EEO Manager, Title VI & ADA Coordinator  
PO Box 7149  
Boise, ID 83707-1129  
208-334-8852

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
915 Second Ave, Suite 3142  
Seattle, Washington 98174  
(206) 220-7954  
(206) 220-7959

## **6. Limited English Proficiency (LEP) Plan**

### **Plan Goal**

TVT shall provide quality language assistance services to individuals with limited English proficiency, in a timely manner, to ensure meaningful access to programs, services and activities.

### **Plan Purpose**

To eliminate or reduce limited English proficiency as a barrier or impediment to accessing TVT's core services.

TVT focus will be on representatives with activities that have the most interactions with LEP

individuals and on programs that have vital information that affect the provision of a service, benefit, or the imposition of a burden. TVT representatives should assess the general nature, purpose and consequences of their interactions with the general public or LEP populations using the following category definitions:

- Category 1—Representatives whose mission or primary function is the provision of services, information, or assistance to the general public may have significant contact or interaction with LEP populations.
- Category 2—Representatives whose primary function is to serve the internal management and administrative needs of TVT itself may have interactions with LEP individuals that are infrequent and secondary to the services performed by these representatives.
- Category 3—Representatives whose primary function is the provision of services, information, or assistance to the public may have predictable and periodic interactions with identifiable LEP populations.
- Category 4—Representatives whose primary function is to serve the legal, investigative, and policy needs of TVT
- Category 5—Representatives whose primary function is the provision of services, information, or assistance to third party entities that are not generally limited English proficiency, may serve no significant LEP populations.

Representatives whose mission meets the definition of Categories 1 thru 5 will be required to follow this written LEP plan or designate an LEP point of contact, in accordance with all regulations and guidelines. Only those representatives who certify that they do not operate or administer any program or activity that provides services, information, or assistance, to the general public and their programs and activities have no significant predictable or periodic contact or interaction with identifiable LEP population; and, their interactions with the public do not involve direct and immediate impact on the person's health, personal security, or other important interest, may designate and LEP contact.

In order to achieve the goal of meaningful access to programs and activities by LEP persons, each representative, program and activity of TVT shall:

- a. Perform a needs and capacity assessment
- b. Arrange for oral language assistance, as appropriate
- c. Translate vital documents in languages other than English upon request or as appropriate
- d. Train front-line and managerial staff
- e. Provide notification to customers of the availability of language assistance

## **Plan Implementation**

a. Needs and capacity assessment:

***Representatives will identify direct public points of contact.*** These could include information offices, telephone numbers regularly used by the public, including 800 numbers, 211 CARELINE, outreach activities, clearinghouses and public service education announcements. These contacts may be face-to-face, telephonic, written or electronic in nature.

***Representatives will define their target audiences.*** This may include individuals of a region or county, class or status. For example: low-income households or medical providers.

***Representatives with interactions with the public will collect and record data.*** Customers should be asked his or her language preference, and that information should be recorded for future contact and for statistical purposes.

***Representatives will assess on an ongoing basis the language assistance needs of its customers and the capacity of the program to meet these needs.*** An annual needs assessment is recommended.

b. Oral language assistance:

***Representatives will arrange oral language assistance for customers in a face-to-face or telephone contact within a reasonable period of time.*** This assistance may take the form of a bilingual staff, oral interpreters, staff personnel, volunteers, or telephone language assistance services.

***Public points of contact.*** Translations of commonly requested documents, bilingual staff, and telephone interpreter services should be made available at locations that are readily accessible to the public, such as the dispatch office, and public telephone areas.

***Competency of bilingual staff and contractors.*** Bilingual staff or contractors will be assessed for bilingual proficiency, interpretation skills, and sensitivity to the special confidentiality issues raised by interpreting for others. Representatives should ensure that individuals providing interpretative services possess a level of fluency and comprehension appropriate to the specific nature, type, and purpose of information at issue. The competency of staff is assessed by the employee taking an online proficiency test.

***Unacceptable practices.*** Representatives should not use family members or friends to translate or interpret for LEP persons. If the LEP customer insists upon using friend or

family member, it should be allowed only after language services have been offered and refused. Minor children should never be used to interpret, except in emergencies.

***Use of contractors.*** Contractual translation or interpreter services may be an option for some programs where the needs assessment suggest less frequent contact with LEP customers. Some interpreter services require payment. This must be approved by the executive director prior to making the arrangement.

c. Translation of written material:

***TVT shall have vital documents translated into languages other than English where a significant number or percentage of the customers served, are limited English proficient.*** This includes written material and electronic documents and websites. “Vital documents” are documents that convey information that critically affects the ability of the program recipient to make decisions about his or her participation in an activity. Vital documents include applications, public notices, and consent forms, letters containing important information regarding participation in an activity or program, and anything pertaining to the Company’s services. It is a good business practices to develop procedures to endure that the translation of documents is ongoing and that revisions take place as needed.

d. Training:

***Each TVT representative shall be trained on the policies and procedures of its language assistance program.*** These representatives will be employees whose routing duties include interactions with the public, such as the drivers and dispatchers and management.

e. Notification of availability of language assistance services and outreach:

***Representatives identified as warranting language assistance measures, shall inform LEP customers of the availability of free language assistance services.*** The notification shall be made orally or in writing, and should be given at the first point of contact when possible and shall be given in the language of the LEP customer. The LEP customer should be advised that they may choose to secure the assistance of an interpreter of their own choosing at their own expense.

## **Technical Assistance**

TVT’s Human Resources department and Federal Transit Administrations Civil Rights department will provide technical assistance to each TVT representative that administers activities and/or programs. Technical assistances will consist of advising programs on the



requirements of this plan and its implementation, including assistance in developing individual program plans, availability of technical and professional translating and interpreter resources and telephone translation services.

### **Compliance and Enforcement**

TVT's managerial staff shall have primary responsibility for ensuring compliance with the LEP Plan. Human Resources and the Civil Rights Officer will assess whether the program's policies and procedures allow LEP persons to overcome language barriers and participate in a meaningful way in the activities and benefits of the Company. Conversely, certain practices may constitute a violation of the program's responsibility under the LEP Plan. Examples may include:

- Providing services to LEP persons that are more limited in scope or low quality
- Subjecting LEP persons to unreasonable delays in the delivery of services.
- Limiting participation in a service on the basis of English proficiency
- Providing ineffective services to LEP persons
- Failing to inform LEP person of the rights to receive **free** interpreter services and/or **requiring** LEP persons to provide their own interpreter.

Human Resources and the Civil Rights Officer shall institute a process for handling complaints from customers about language assistance, and data reporting. The complaint process shall inform customers and clients on how to file a complaint, and provide a means of recording and resolving complaints. In addition, complaint data should be included in TVT's Annual Workload and Performance data report (Executive Order 12250 Information and Reporting Requirements)

Complaints by LEP persons will be investigated in the manner prescribed by the laws governing federally assisted programs and activities. These procedures include complaint investigations, compliance reviews, efforts to secure voluntary compliance, and technical assistance.

Anyone who believes that he or she has been discriminated against because of their national origin may file a complaint with the:

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program  
Coordinator 915 Second Ave, Suite  
3142  
Seattle, Washington 98174  
(206) 220-7954  
(206) 220-7959

Idaho Transportation Department  
EEO/DBE Program Manager  
P.O. Box 7129  
Boise, ID 83707-1129  
(208) 334-8266 office  
(208) 334-4423 Fax

## **7. Community Outreach**

Community Outreach is a requirement of Title VI. Recipients and sub recipients shall seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on the composition of the affected population, the public involvement process, and the resources of the recipient.

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

*Public Meetings: TVT holds public and stakeholder meetings to introduce possible pilot projects, routes or schedules change when needed.*

TVT will conduct a four factor analysis:

- a. Determine the eligible Limited English Proficient (LEP) populations (Example: the data on percent of LEP's within the service area, i.e. 25% are Spanish LEP'S, etc.). This will be done through the use of EJSscreen or information requested through COMPASS the metropolitan planning association for Southwest Idaho.
- b. Determine the frequency with which the LEP individuals come in contact with the program through the use of surveys, website, postings at local venues (i.e. churches, grocery stores, library, etc.) and public meetings (i.e. outside the Walmart, public Library, etc.)
- c. Identify the nature and importance of the program, activity or service provided to the LEP populations (i.e. scheduling information, riders guide, complaint forms, route changes due to construction, policies and procedures, etc.). TVT will take this information and conduct a survey of the LEP populations to determine what the communities identified think is most important.
- d. Cost does not prohibit TVT from providing language services through GOOGLE

translate, in-house staff for Spanish speaking passenger's or interpretive call center for other languages and posting vital documents in Spanish on the TVT website.

*Board Meetings: Treasure Valley Transit's Board of Directors meets the last Tuesday of every month, 9:00am, and the public is invited to attend.*

*TVT regularly attends Health and Human Services meetings in the cities, in which, it serves. In the past, TVT has used public hearings and public comment sessions for programs such as Transit Improvement Plan (TIP).*

*TVT also participate in community resource fairs and public marketing and outreach activities.*

TVT submits to the Idaho Transportation Department an application for funding during the scheduled application periods. The application requests funding for both capital and operating assistance and a part of the application process requires public notice, which includes a 30-day public comment period.

#### **TVT Public Hearing Policy:**

To ensure that the public is involved in transportation decisions and activities, Treasure Valley Transit shall inform the public and seek their input through preliminary scoping meetings, public information meetings, and public hearings. Public meetings and/or hearings shall be held to provide the public with the opportunity to receive information, discuss findings and proposed actions, and offer comments.

The project scope, intensity of interest, and level of impact determines the number, extent, and type of public involvement. The Executive Director, and/or delegated personnel shall determine the strategy for public involvement and the types of opportunities the public will have for submitting comments and information. The Executive Director may waive the public hearing when public awareness and support is apparent and non-controversial.

The following public hearing process primarily details fare rate changes and route restructure hearings. This process may be modified for other public hearings, to meet specific regulations and concerns. TVT shall follow a multi-faceted public involvement process that includes, but is not limited to, the following actions:

- Notices of public information meetings and public hearings shall be presented in a variety of formats, i.e., legal notices, newspaper and radio ads, invitation letters, etc., **including translated material to ensure involvement by minorities.**
- Meetings and hearings shall be conducted at an acceptable site located as near to the project as possible, and for a number of hours convenient for those affected by the

proposed project. The format of the meetings and hearings shall be similar to an open house in that the public is invited to drop by any time during specified hours.

- Hearing information shall be presented in displays and printed brochures.
- When appropriate, TVT personnel and other partner agencies shall staff the information meetings/hearings and share project details with the public.

Transportation project materials shall be available through the TVT website for public viewing. Materials shall include, and not be limited to, maps, charts, graphs, photos or other visual elements of projects and press releases announcing any developments in projects. Materials shall also include information presented at public meetings and public hearings.

- A Hearing Officer shall be appointed to ensure that public opinion is solicited and the public's testimony receives proper recognition in any transportation project decision. Oral testimony, written statements, and other information from the public may be submitted to the Hearing Officer as part of the official testimony until the previously-announced closing date. Oral testimony may be tape recorded during the public hearing and later transcribed.
- Public input that is received before or after the official testimony period is added to the project file.
- Guidelines and strategies for public involvement shall be maintained in the Public Comment Policy along with the Media Handbook.
- If the project is not controversial and has public support, the project determination shall be approved by the appropriate management personnel.

Example of Process:

Scenario: Potential Route Change in Fruitland/Payette City Route

EJScreen ACS Summary Report:

Fruitland LEP population is Hispanic at 21%

Payette LEP population is Hispanic at 24%

Survey drivers about potential change for their input

Conduct Public Hearings at Walmart and the Library in both English and Spanish

Postings on the Bus, website, public notice in local newspaper and local venues

Provide vital documents in both English and Spanish

Follow the above policy and procedure

## **8. Current and Past Investigations**

TVT does not have any past or current investigations, complaints or lawsuits alleging discrimination on basis of race, color, or national origin with respect to service or other transit benefits provided filed with the agency in the past three years.

## **9. Current and Past Civil Rights Compliance Reviews**

TVT did not have any civil rights compliance reviews conducted by other local, state or federal agencies during the last three years.

## Appendix A

### **Employee Annual Training Form**

#### **Title VI Policy**

No person shall, on the grounds of race, sex, LEP, disability, gender identity, sexual orientation, age, color, or national origin, will 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 Treasure Valley Transit 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 Title VI Coordinator.

**Appendix B**



***Treasure Valley Transit***

**Acknowledgement of Receipt of Title VI Plan**

I hereby acknowledge the receipt of Treasure Valley Transit 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, sex, LEP, disability, gender identity, sexual orientation, age, color, or national origin, as protected by Title VI Civil Rights Act of 1964, Civil Rights Restoration Act of 1987 and subsequent related acts and FTA Circular 4702.1.B 4702.1B.

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Date

# DISCRIMINATION COMPLAINT AGAINST TVT

## Title VI and Related Statutes

### Contact Information

Name: \_\_\_\_\_

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

City: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Discrimination Complaint

Name of staff person that you believe discriminated against you:

\_\_\_\_\_

Date of alleged incident: \_\_\_\_\_

You were discriminated because of:

\_\_\_\_\_ Race

\_\_\_\_\_ Sex

\_\_\_\_\_ LEP

\_\_\_\_\_ National Origin

\_\_\_\_\_ Disability

\_\_\_\_\_ Gender Identity

\_\_\_\_\_ Sexual Orientation

\_\_\_\_\_ Color

\_\_\_\_\_ Age

\_\_\_\_\_ Other

Explain as briefly and clearly as possible what happened, how you were discriminated against, and your desired outcome. Indicate who was involved. Be sure to include how other persons were treated differently than you. To be considered this form must be filed no later than 180 days after the alleged act of discrimination. Also attach any written material pertaining to your case.

I \_\_\_\_\_ state all of the above is a true statement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **Appendix D**

### **Letter Acknowledging Receipt of Complaint**

Date:

Mr./Mrs. Jane Doe  
1234 Main  
Nampa, Idaho 83651

Dear Mrs. Doe:

This letter is to acknowledge receipt of your complaint against Treasure Valley Transit alleging\_\_\_\_\_.

An investigation will begin shortly. If you have additional information you wish to convey or questions regarding this matter, please feel free to contact this office by telephoning 208-463-9111 or write to me at 1136 W. Finch Drive Nampa, ID 83651.

Sincerely,

Terri Lindenberg  
Title VI Coordinator

## APPENDIX E

### Letter Notifying Complainant that the Complaint Is Substantiated

Date

Name of Complainant

Address

Dear Jane Doe:

The matter referenced in your letter of \_\_\_\_\_(date) against Treasure Valley Transit (TVT) alleging Title VI violation has been investigated.

(There were or weren't) 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 there will be a hearing add the following sentence) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Terri Lindenberg  
Title VI Coordinator

## APPENDIX F

### Letter Notifying Complainant that the Complaint is Not Substantiated

Date  
Name of Complainant  
Address

Dear Jane Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date)  
against Treasure Valley Transit (TVT.) 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 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.

TVT has analyzed the materials and FACTS pertaining to your case for evidence of its 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 calendars of receipt of this final written decision from TVT, 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  
915 Second Ave, Suite 3142  
Seattle, Washington 98174  
(206) 220-7954  
(206) 220-7959

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 at 208-463-9111 or by email at [terri@treasurevalleytransit.com](mailto:terri@treasurevalleytransit.com)

Sincerely,

Terri Lindenberg, Title VI Coordinator

## APPENDIX G

### **Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities**

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 200d).

TVT 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 TVT, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at:

Treasure Valley Transit, Inc.  
Attn: Title VI Coordinator,  
Terri Lindenberg  
1136 W. Finch Drive  
Nampa, ID 83651  
208-463-9111

For more information, visit our website at [www.treasurevalleytransit.com](http://www.treasurevalleytransit.com)