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Orange County Public Transportation Title VI Plan

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TITLE VI PLAN REVIEW AND ADOPTION

On behalf of the Orange County Board of County Commissioners, I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Board, have ***reviewed and hereby adopt*** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end the no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Orange County Public Transportation(OCPT) services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.

DocuSigned by:

Penny Rich

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Signature of Authorizing Official

3/11/2020

DATE

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TITLE VI NONDISCRIMINATION AGREEMENT
BETWEEN
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
ORANGE COUNTY PUBLIC TRANSPORTATION

In accordance with DOT Order 1050.2A, Orange County Public Transportation assures the North Carolina Department of Transportation (NCDOT) that no person shall, on the ground of **race, color, national origin, sex, creed, age, or disability**, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by Orange County Public Transportation .

Further, Orange County Public Transportation hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and easy access to the Transportation Services Director of the organization.
2. Issue a policy statement, signed by the Transportation Services Director of the organization, which expresses a commitment to the nondiscrimination provisions of Title VI and related applicable statutes. The signed policy statement shall be posted and circulated throughout the organization and to the general public and published where appropriate in languages other than English. The policy statement will be re-signed when there is a change of Transportation Services Director.
3. Insert the clauses of the contract language from Section 6.1 in every contract awarded by the organization. Ensure that every contract awarded by the organization's contractors or consultants also includes the contract language.
4. Process all and, when required, investigate complaints of discrimination consistent with the procedures contained within this Plan. Log all complaints for the administrative record.
5. Collect statistical data (race, color, national origin, sex, age, disability) on participants in, and beneficiaries of, programs and activities carried out by the organization.
6. Participate in training offered on Title VI and other nondiscrimination requirements. Conduct or request training for employees or the organization's subrecipients.
7. Take affirmative action, if reviewed or investigated by NCDOT, to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless reasonable provisions are granted by NCDOT.
8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

THIS AGREEMENT is given in consideration of, and for the purpose of obtaining, any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.

DocuSigned by:

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Authorized Signature

2/14/2020

Date

Theo Letman

Transportation Services Director

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1.0 INTRODUCTION

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d 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." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations, which provide additional protections based on age, sex, creed (religion), and disability, including the 1987 Civil Rights Restoration Act, which extended nondiscrimination coverage to all programs and activities of federal-aid recipients, subrecipients, and contractors, including those that are not federally-funded (see Appendix A – Applicable Nondiscrimination Authorities).

Orange County Public Transportation is a recipient of Federal Transit Administration (FTA) funds from the North Carolina Department of Transportation (NCDOT). Orange County Public Transportation establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined within the FTA Certifications & Assurances, "Nondiscrimination Assurance." This document details the nondiscrimination program, policies, and practices administered by Orange County Public Transportation, and will be updated periodically to incorporate changes and additional responsibilities as they are made. This Plan will be submitted to NCDOT or FTA, upon request.

2.0 DESCRIPTION OF PROGRAMS AND SERVICES

2.1 PROGRAM(S) AND SERVICES ADMINISTERED

Orange County Public Transportation provides public transportation options to its customers within county limits of Orange County, North Carolina. Orange County Public Transportation provides both demand response service and fixed route service. Our demand response service includes transportation provided by Rural Operating Assistance Program (ROAP), Non-Emergency Medical Transportation (Medicaid), and Americans with Disabilities Act. Our fixed route service is comprised of four buses. The Hillsborough Circulator which circulates the town of Hillsborough from 8am – 5pm Monday through Friday which is fare free. Then there is the Orange- Chapel Hill Connector which has two buses one that starts in Cedar Grove, NC and the other that starts in Chapel Hill, NC, fare for this route is two dollars one-way or four dollars round trip. The Orange –Chapel Hill Connector is in service from 9:45am -3:50pm Monday through Friday. Lastly there is the Orange – Alamance Connector this routes services the Town of Hillsborough and City of Mebane from 10:00am – 3:00pm Monday through Friday, fare for this route is two dollars one way or four dollars round trip. Following the Orange County Holiday Schedule, Orange County Public Transportation's Administrative Office and Fixed Route Services are closed the following days in 2020:

- New Year's Day: January 1, 2020
- Martin Luther King. Jr's Birthday: January 20, 2020
- Good Friday: April 10, 2020
- Memorial Day: May 25, 2020
- Independence Day: July 3, 2020
- Labor Day: September 7, 2020
- Thanksgiving: November 26-27, 2020
- Christmas: December 24, 25, 28, 2020

Orange County Public Transportation Staff is comprised of:

- Transit Director (1); Transit Administrator (1); Operations Manager; (1) Transportation Services Manager (1) Transportation Operations Supervisor (1); Transit Dispatch Supervisor (1); Transportation Demand Management Coordinator (1); Operations Office Assistant (1); Transit Asset Technician (1); Full Time Public Transportation Drivers (16); and (5) Part Time Public Transportation Drivers.

Type of Service	Days of week	Times	Fare (if applicable)
Fixed Route	Monday – Friday	8am – 5pm	$2 one –way* Hillsborough Circulator is fare free
Elderly/Disabled Transportation Assistance Program	Monday – Friday	8am-5pm	$3 one-way
Rural General Public	Monday – Friday	8am – 5pm	$12.74 one-way

2.2 Funding Sources / Tables

For the purpose of federally assisted programs, "federal assistance" shall include:

1. grants and loans of Federal funds;
2. the grant or donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
5. any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Each FTA Formula Grant received by our system during the past year, and whether the funds were received through NCDOT or directly from FTA, is checked below.

Grant Title	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5307 (Urbanized Area Formula)	☒	☐	Annually
5310 (Transportation for Elderly Persons and Persons with Disabilities)	☒	☐	Annually
5311 (Formula Grants for Other than Urbanized Areas)	☒	☐	Annually
5311 (b)(3) (Rural Transit Assistance)	☒	☐	Annually
5339 (Bus and Bus Facilities Formula)	☒	☐	Annually

2.3 Decision-Making Process

Board or Committee Name	Appointed	Elected	# of Members
Transit Advisory Board	☒	☐	14
Board of County Commissioners	☐	☒	7

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2.4 Title VI Coordinator

The individual below has been designated as the Title VI Coordinator for Orange County Public Transportation, and is empowered with enough authority and responsibility to implement the Title VI Nondiscrimination Program:

TeLeishia Holloway
Transportation Administrator
600 NC Highway 86 N Hillsborough, NC 27278
919-245-2007
tholloway@orangecountync.gov

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT or any other regulatory agency.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Training internal staff and officials on their Title VI nondiscrimination obligations.
- Disseminating Title VI information internally and to the general public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Implementing procedures for prompt processing (receiving, logging, investigating and/or forwarding) of discrimination complaints.
- Coordinating with, and providing information to, NCDOT and other regulatory agencies during compliance reviews or complaint investigations.
- Promptly resolving areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

2.5 Change of Title VI Coordinator and/or Head of Decision-making Body's Title or "CAO"

If Title VI Coordinator or Transportation Services Director changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement (and nondiscrimination agreement, if standalone) will be signed by the new Transportation Services Director.

2.6 Organizational Chart

An organizational chart showing the Title VI Coordinator's place within the organization is in **Appendix B**.

2.7 Subrecipients

Orange County Public Transportation does not have pass through funds to any other organizations and, therefore, does not have any subrecipients.

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3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of Orange County Public Transportation , as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, sex, creed (religion), age or disability**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all other related nondiscrimination laws and requirements.

DocuSigned by:
Teleishia Holloway
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TeLeishia Holloway, Transportation Administrator

2/18/2020

Date

Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) 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." The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of "programs and activities" to include all programs and activities of federal-aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-assisted Programs of the Department of Transportation–Effectuation of Title VI of the Civil Rights Act"; 49 U.S.C. 5332, "Nondiscrimination (Public Transportation)"; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d

Implementation

- This statement will be signed by the Transportation Services Director of Orange County Public Transportation and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, at transit stops, inside vehicles, and disseminated within brochures and other written materials.
- The *core* of the statement (signature excluded) will circulate *internally* within annual acknowledgement forms.
- The statement will be posted or provided in languages other than English, when appropriate.

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4.0 NOTICE OF NONDISCRIMINATION

- Orange County Public Transportation operates its programs and services without regard to **race, color, national origin, sex, creed (religion), age, and disability** in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with Orange County Public Transportation.
  - For more information on Orange County Public Transportation's civil rights program, and the procedures to file a complaint, contact 919-245-2008, (TTY 919-644-3045); email octransportationservices@orangecountync.gov, (TTY 919-644-3045); or visit our administrative office at 600 NC Highway 86 N Hillsborough, NC 278278. For more information, visit orangecounync.gov.
  - If information is needed in another language, contact 919-245-2498.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Implementation

- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- The notice will be posted in our offices and inside/on our vehicles.
- Ads in newspapers and other publications shall include the following: "Orange County Public Transportation operates without regard to **race, color, national origin, sex, creed (religion), age or disability.** For more information on Orange County Public Transportation Title VI program or how to file a discrimination complaint, please contact 919-245-2008; octransportationservices@orangecountync.gov."
- The statement will be posted or provided in languages other than English, when appropriate.

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5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

We are committed to nondiscriminatory administration of our programs and services, organization wide. Orange County Public Transportation will remind employees of Title VI nondiscrimination obligations through staff training and use of the **Annual Education and Acknowledgment Form** below. The Title VI Coordinator will periodically assess program operations to ensure this policy is being followed.

Annual Education and Acknowledgement Form

Title VI Nondiscrimination Policy
(Title VI and related nondiscrimination authorities)

No person shall, on the grounds of race, color, national origin, sex, age, creed, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of Orange County Public Transportation are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to TeLeishia Holloway at 919-245-2002.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of Orange County Public Transportation Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of Orange County Public Transportation programs, policies, services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

_____ _____
Signature Date

Implementation

- Periodically, but not more than once a year, employees and representatives will receive, review and certify commitment to the Title VI Program.
- New employees shall be informed of Title VI provisions and expectations to perform their duties, accordingly, asked to review the Title VI Program, and required to sign the acknowledgement form.
- Periodic review of operational practices and guidelines by the Title VI Coordinator to verify compliance with the Title VI Program. Maintain documents of each review on file.
- Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

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6.0 CONTRACT ADMINISTRATION

Orange County Public Transportation ensures all contractors will fulfill their contracts in a nondiscriminatory manner. While contractors are not required to prepare a Title VI Program, they must comply with the nondiscrimination requirements of the organization to which they are contracted. Orange County Public Transportation and its contractors will not discriminate in the selection and retention of contractors (at any level) or discriminate in employment practices in connection with any of our projects.

6.1 CONTRACT LANGUAGE

I. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, creed (religion), low-income, limited English proficiency, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FTA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FTA, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

(a) withholding payments to the contractor under the contract until the contractor complies; and/or
(b) cancelling, terminating, or suspending a contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

II. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

<u>Pertinent Nondiscrimination Authorities</u>

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

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- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

*The Contractor has read and is familiar with the terms above:

Contractor's Initials

Date

Implementation

- The nondiscrimination language above (**with** initials line) will be appended to any *existing* contracts, purchase orders, and agreements that do not include it, and initialed by the responsible official of the other organization.
- The nondiscrimination language above (**without** initials line) will be incorporated as standard language before the signature page of our standard contracts, purchase orders, and agreements.
- The Title VI Coordinator will review *existing* contracts to ensure the language has been added.

6.2 Nondiscrimination Notice to Prospective Bidders

The Orange County Public Transportation, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority and women 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, national origin, sex, age, creed, limited English proficiency, low-income, or disability in consideration for an award.

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Implementation

- The nondiscrimination language above will be included in all solicitations for bids for work or material and proposals for negotiated agreements to assure interested firms that we provide equal opportunity and do not discriminate.
- Outreach efforts will be made to minority and women-owned firms that work in requested fields and documented.
- Unless specifically required under Disadvantaged Business Enterprise (DBE) or Affirmative Action programs, all contractors will be selected without regard to their race, color, national origin, or sex.

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7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by Orange County Public Transportation to process complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to Orange County Public Transportation programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

FILING OF COMPLAINTS

1. **Applicability** – These procedures apply to the beneficiaries of our programs, activities, and services, such as the members of the public and any consultants/contractors we hire.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, sex, age, national origin, creed (religion) or disability, may file a written complaint. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
   - The date of the alleged act of discrimination; or
   - The date when the person(s) became aware of the alleged discrimination; or
   - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

   Complaints may be submitted to the following entities:
   - **Orange County Public Transportation**, Administration Office, 600 NC 86 N Hillsborough, NC 27278, PO BOX 818 Hillsborough, NC 27278 ;919-245-2008
   - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
   - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070

     Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
   - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints –** Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
5. **Discrimination Complaint Form –** The Discrimination Complaint Form is consistent with the FTA Certifications & Assurances, "Nondiscrimination Assurance."
6. **Complaint Basis –** Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion) or disability. The term "basis" refers to the complainant's membership in a protected group category.

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Protected Categories	Definition	Examples	Applicable Statutes and Regulations
			FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 49 U.S.C. 5332(b); FTA Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	49 U.S.C. 5332(b); Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
Creed	Religion.	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

Complaint Processing

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, we will notify the complainant and respondent of whether the complaint has enough merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of our jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

Complaint Log

1. When a complaint is received, the complaint will be entered into the Discrimination Complaints Log with other pertinent information and assigned a **Case Number.** (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT's Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also be request the complaints log during pre-grant approval processes).
3. The **Log Year(s)** since the last submittal will be entered (e.g., 2015-2018, 2017-2018, FFY 2018, or 2018) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

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Orange County Public Transportation

DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, creed, sex, age, national origin, or disability may file a written complaint with Orange County Public Transportation, within 180 days after the discrimination occurred.

Last Name:	First Name:	☐ Male ☐ Female

Mailing Address:	City	State	Zip

Home Telephone:	Work Telephone:	E-mail Address

Identify the Category of Discrimination:

☐ RACE ☐ COLOR ☐ NATIONAL ORIGIN ☐ SEX

☐ CREED (RELIGION) ☐ DISABILITY ☐ LIMITED ENGLISH PROFICIENCY ☐ AGE

**NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications & Assurances.*

Identify the Race of the Complainant

☐ Black ☐ White ☐ Hispanic ☐ Asian American

☐ American Indian ☐ Alaskan Native ☐ Pacific Islander ☐ Other _____

Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.

Names of individuals responsible for the discriminatory action(s):

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you**. (Attach additional page(s), if necessary).**

The law prohibits intimidation or **retaliation** against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).

	Name	**Address**	**Telephone**
1.			
2.			
3.			
4.			

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DISCRIMINATION COMPLAINT FORM

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- ☐ NC Department of Transportation _____
- ☐ Federal Transit Administration _____
- ☐ US Department of Transportation _____
- ☐ US Department of Justice _____
- ☐ Federal or State Court _____
- ☐ Other _____

Have you discussed the complaint with any Orange County Public Transportation representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

_____	_____
COMPLAINANT'S SIGNATURE	**DATE**

MAIL COMPLAINT FORM TO:

Orange County Public Transportation
600 NC Highway 86 North
Hillsborough, NC 27278
OCTransportationServices@orangecountync.gov
919-245-2008

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: ☐NCDOT ☐FTA Date Referred:_____

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DISCRIMINATION COMPLAINTS LOG

Log Year(s):

CASE NO.	COMPLAINANT NAME	RACE/ GENDER	RESPONDENT NAME	BASIS	DATE FILED	DATE RECEIVED	ACTION TAKEN	DATE INVESTIG. COMPLETED	DISPOSITION

No Complaints or Lawsuits ☐

I certify that to the best of my knowledge, the above described complaints or lawsuits alleging discrimination, or **no complaints or lawsuits** alleging discrimination, have been filed with or against **Orange County Public Transportation** since the previous Title VI Program submission to NCDOT.

_____ _____

Signature of Title VI Coordinator or Other Authorized Official **Date**

_____

Print Name and Title of Authorized Official

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INVESTIGATIVE GUIDANCE

A. Scope of Investigation – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.

B. Developing an Investigative Plan – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:

1. Complainant(s) Name and Address (Attorney name and address if applicable)
2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
3. Applicable Law(s)
4. Basis/(es)
5. Allegation(s)/Issue(s)
6. Background
7. Name of Persons to be interviewed
    a. Questions for the complainant(s)
    b. Questions for the respondent(s)
    c. Questions for witness(es)
8. Evidence to be obtained during the investigation
    a. Issue – e.g., Complainant alleges his predominantly African American community was excluded from a meeting concerning a future project which could affect the community.
        i. Documents needed: e.g., mailing list which shows all physical addresses, P.O. Box numbers, property owner names, and dates when the meeting notification was mailed; other methods used by the RPO to advertise the meeting.

C. Request for Information – The investigator should gather data and information pertinent to the issues raised in the complaint.

D. Interviews – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.

E. Developing an Investigative Report – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

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Investigative Report

I. **COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable
Name, Address, Phone: 999-999-9999

II. **RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
Name, Address, Phone: 999-999-9999

III. **APPLICABLE LAW/REGULATION**

IV. **COMPLAINT BASIS/(ES)**

V. **ISSUES/ALLEGATIONS**

VI. **BACKGROUND**

VII. **INVESTIGATIVE PROCEDURE**

VIII. **ISSUES / FINDINGS OF FACT**

IX. **CONCLUSION**

X. **RECOMMENDED ACTIONS**

APPENDIX

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8.0 SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, Orange County Public Transportation will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section is intended as a compilation of relevant population characteristics from our overall service area. This data will provide context to the Title VI Nondiscrimination Program and be used to ensure nondiscrimination and improve public outreach initiatives and delivery of ongoing programs.

8.1 RACE AND ETHNICITY

The following table was completed using data from Census Table QT-P3, Race and Hispanic or Latino Origin: 2010:

Race and Ethnicity	Number	Percent
Total Population	133,801	100
White	99,495	74.4
Black or African American	15,928	11.9
American Indian or Alaska Native	570	0.4
Asian	9,023	6.7
Native Hawaiian and Other Pacific Islander	41	0.0
Some other Race	5,341	4.0
Two or More Races	3,403	2.5
HISPANIC OR LATINO (of any race)	11,017	8.2
Mexican	6,860	5.1
Puerto Rican	669	0.5
Cuban	333	0.2
Other Hispanic or Latino	3,155	2.4

8.2 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

	Number			Percent		
Age	**Both sexes**	**Male**	**Female**	**Both sexes**	**Male**	**Female**
Total Population	133,801	63,954	69,847	100%	100%	100%
Under 5 years	6,890	3,496	3,394	5.1	5.5	4.9
Under 18 years	27,969	14,288	13,681	20.9	22.3	19.6
18 to 64 years	92,943	44,117	48,826	69.5	69.0	69.9
65 years and over	12,889	5,549	7,340	8.6	8.7	10.5
Median Age	**31.1**	**32.5**	**33.8**			

8.3 DISABILITY

The following table was completed using data from Census Table S1810, Disability Characteristics:

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Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	139,617	-528	12,55	2,114	9.0	1.5
Population under 5 years	6,699	678	85	129	1.3	2.0
Population 5 to 17 years	21,853	680	789	573	3.6	2.6
Population 18 to 64 years	96,059	669	7,651	1,673	8.0	1.7
Population 65 years and over	15,006	561	4030	851	26.9	5.4
SEX						
Male	**65,398**	**866**	**6,080**	1,402	9.3	2.1
Female	**84,219**	**674**	**6,475**	1,400	8.7	1.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	**104,956**	**1,762**	**8,717**	1,151	8.3	1.1
Black or African American	**16,027**	**926**	**2621**	1,517	16.4	9.4
American Indian and Alaska Native	**N**	**N**	**N**	N	N	N
Asian	**10,149**	**602**	**769**	711	7.6	7.0
Native American and Other Pacific Islander	**N**	**N**	**N**	N	N	N
Some other Race	**N**	**N**	**N**	N	N	N
Two or more races	**N**	**N**	**N**	N	N	N
Hispanic or Latino	**11,699**	**4**	**565**	396	4.8	3.4

8.4 POVERTY

The following table was completed using data from Census Table S1701, Poverty Status in the Past 12 Months:

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	130,094	1,895	20,787	3,082	16.0	2.3
AGE						
Under 18	27,683	751	3,246	1,188	11.7	4.2
18 to 64	84,405	1,835	16,633	2,304	19.0	2.4
65 years and over	15,006	561	908	446	6.1	2.9
SEX						
Male	**61,513**	**1153**	**9132**	1,474	14.8	2.3
Female	**68,581**	**1546**	**11655**	2,121	17.0	2.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	98,098	2,563	14,261	2,582	14.4	2.4
Black or African American	15,428	957	3,520	1,490	22.8	9.4
American Indian and Alaska Native						
Asian	9,363	726	1,197	1091	12.8	11.5
Native American and Other Pacific Islander	N	N	N	N	N	N
Some other Race	N	N	N	N	N	N
Two or more races	**N**	**N**	**N**	N	N	N

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Hispanic or Latino						
RACE AND HISPANIC OR LATINO ORIGIN	**11,024**	**321**	**2,746**	1,750	24.9	16.1
All individuals below:						
50 percent of poverty level	**10,987**	**2,041**				
125 percent of poverty level	**24,991**	**3,825**				
150 percent of poverty level	**30,565**	**3,949**				
185 percent of poverty level	**35,658**	**4,326**				
200 percent of poverty level	**10,259**	**4,399**				

8.5 Household Income

Subject	Households	
	Estimate	Margin of Error +/-
Total	51,867	1,745
Less than $10,000	8.7	1.8
$10,000 to $14,999	3.1	1.2
$15,000 to $24,999	8.5	1.8
$25,000 to $34,999	6.7	1.7
$35,000 to $49,999	14.1	2.1
$50,000 to $74,999	18.9	2.8
$75,000 to $99,999	9.7	2.1
$100,000 to $149,999	13.9	2.1
$150,000 to $199,999	6.4	1.4
$200,000 or more	9.9	1.8
Median income (dollars)	59,409	3,364
Mean income (dollars)	92,061	6,209

8.6 Limited English Proficiency Populations

Speak English Less Than "Very Well"	Estimate	Margin of Error	Percentage of Population
Total Population	129,155	+/-61	100%
Spanish or Spanish Creole	9,392	+/-461	7.2%
Chinese	2,533	+/-490	2%
Korean	1,209	+/-364	0.09%
Other Asian Languages	1,522	+/-546	1.2%

Please see Appendix D for a complete list of LEP Population Statistics in Orange County.

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8.7 Population Locations

Federal-aid recipients are required to identify the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. We will document this narratively or through maps that overlay boundaries and demographic features on specific communities, and provide this information to NCDOT, upon request.

9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

Title VI Equity Analyses. In accordance with FTA Circular 4702.1B, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation center. The equity analysis will be conducted during the planning stage, with regard to the location of the facility, to determine if the project could result in a disparate impact to minority communities based on race, color or national origin. Accordingly, we will look at various alternatives before selecting a site for the facility. Project-specific demographic data on potentially affected communities and their involvement in decision-making activities will be documented. Title VI Equity Analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

Environmental Justice Analyses. As required by FTA C 4703.1, environmental justice (EJ) analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our projects, such as when we construct or modify a facility, and our policies, such as when there will be a change in service, amenities or fares. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document their involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

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10.0 PUBLIC INVOLVEMENT

10.1 INTRODUCTION

Effective public involvement is a key element in addressing Title VI in decision-making. This **Public Participation Plan** describes how Orange County Public Transportation will disseminate vital agency information and engage the public. We will seek out and consider the input and needs of interested parties and groups traditionally underserved by transportation systems who may face challenges accessing our services, such as minority and limited English proficient (LEP) persons. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

General public involvement practices will include:

- Expanding traditional outreach methods. Think outside the box: Go to hair salons, barbershops, street fairs, etc.
- Providing for early, frequent and continuous engagement by the public.
- Use of social media and other resources as a way to gain public involvement.
- Coordinating with community- and faith-based organizations such as the Hispanic Liaison, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.

10.2 PUBLIC NOTIFICATION

Passengers and other interested persons will be informed of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice as stipulated in Sections 3.0 and 4.0, respectively. Additional measures may include verbally announcing our obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

10.3 DISSEMINATION OF INFORMATION

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and subrecipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching designs and locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including nondiscrimination notices in meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Project-related information and our most current Title VI-related information will be maintained online.

10.4 MEETINGS AND OUTREACH

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging

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stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives will be avoided in meeting announcements. Specific “attention-grabbing” reasons to attend will be used, such as “Help us figure out how to relieve congestion on [corridor name]” or “How much should it cost to ride the bus? Let us know on [date].”
- Efforts will be made to show how the input of participants can, or did, influence final decisions.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

Public Meetings

“Public meeting” refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

Small Group Meetings

A small group meeting is a targeted measure where a meeting is held with a specific group, usually at their request or consent. These are often closed meetings, as they will typically occur on private property at the owner’s request.

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.
- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group’s choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

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Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone, door-to-door canvassing, at community fairs, by placing drop boxes in ideal locations, or with assistance from other local agencies like social services.
- Surveys will be translated into languages other than English, when appropriate.

10.5 Limited English Proficiency

Limited English Proficient (LEP) persons are individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. These individuals reported to the U.S. Census Bureau that they speak English less than very well.

To comply with USDOT's LEP Policy Guidance and Executive Order 13166, this section of our Title VI Plan outlines the steps we will take to ensure meaningful access by LEP persons to all benefits, services and information provided under our programs and activities. A four-factor analysis was conducted to determine the LEP language groups present in our planning area and the specific language services that are needed.

Four Factor Analysis

This Four Factor Analysis 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 or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.***

	Orange County, North Carolina	
	Estimate	Margin of Error
Total:	129,155	+/-61
Speak only English	108,562	+/-854
Spanish or Spanish Creole:	9,392	+/-461
Speak English "very well"	4,604	+/-599
Speak English less than "very well"	4,788	+/-644
French (incl. Patois, Cajun):	889	+/-270
Speak English "very well"	760	+/-266
Speak English less than "very well"	129	+/-69

This Title VI update requires that Orange County Public Transportation recognize the sub-populations of languages that have either more than 5 % or 1,000 people that speak English less than "very well" including numbers in the Margin of Error. In the Orange County Public Transportation service area, the largest language subpopulation within the LEP population was that of Spanish speakers who speak English less than "very well." Referencing estimates from the 2015 5-year American Community Survey (ACS), our area has a total of 129,155 people. There are 9,932 Spanish speakers, of whom 4,788 speak English less than "very well", or just over 3% of the total population.

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Factor #2: ***The frequency with which LEP individuals come in contact with the program.***

Orange County Public Transportation assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying public meeting attendees. No previous LEP requests have been received thus far. Documentation of LEP requests will be done annually upon implementation of the LEP plan. Orange County Public Transportation transit operators also provide outreach to the Spanish population. Orange County Public Transportation provides Spanish translation for public meetings and outreach materials. Arrangements are made to provide translation when requested.

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

Orange County is a growing region within the Triangle. OCPT recognizes that public outreach to all groups within the community is important and will continue to reach out to persons with limited English proficiencies. OCPT critical service to LEP is scheduling transit services from the general public and the agency contracts through Department of Social Services and other human service agencies within Orange County.

Mobility for all Orange County residents is the driving force behind OCPT. This mobility allows access to medical services, employment, education, human service agencies, recreational activities, etc. thereby improving the quality of life for Orange County residents.

Other forms of transportation are available in Orange County. Taxi services local to the area are available but and do not have ADA accessible vehicles. Most often these services are also cost prohibitive to those seeking affordable transportation. Chapel Hill Transit provides a fixed route service in the City limits of Chapel Hill but that service is only available to those who live in that specific service area.

Factor #4: ***The resources available to the recipient and costs.***

Orange County Public Transportation (OCPT) will provide translation of materials for all information regarding our services through third party translators at a cost of $12 center per word or $40.00 an hour for in-person translation. OCPT will also work with community based organization such as the Family Success Alliance that helps at risk families and families that speak limited English. Additionally, we will work with Orange County's Human Rights and Relations department to decimate information to the limited English speaking populations within Orange County

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Orange County Public Transportation
LANGUAGE ACCESS PLAN

Title: Title VI of the Civil Rights Act of 1964; Policy on the Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency

Authority: Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et.seq.

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d *et. seq.* states: "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."

Regulations implementing Title VI, provide in part at 45 C.F.R. Section 80.3 (b):

> "(1) A recipient under any program to which this part applies may not, directly or through contractual or other arrangements, on ground of race, or color, or national origin:
>
> (i) Deny an individual any service, financial aid, or other benefit provided under the program:
>
> (ii) Provide any service, financial aid, or other benefit to an individual which is different, or is provided in a different manner, from that provided to others in the program;
>
> (2) A recipient, in determining the types of services, financial aid, or other benefits, or facilities which will be provided under any such program or the class of individuals to whom, or the situations in which such services, financial aid or other benefits, or facilities will be provided… *may not directly, or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination, because of their race, color or national origin, or have the effect of defeating or substantially impairing accomplishments of the objectives of the program with respect to individuals of a particular race, color, or national origin."* (emphasis added)

I. Purpose

The purpose of this Policy is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the **Orange County Public Transportation** must take

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adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

II. Scope of Policy

These requirements will apply to the **Orange County Public Transportation** including subcontractors, vendors, and subrecipients.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving subgrants from the agency.

III. Definitions

A. Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

B. Vital Documents – These forms include, but are not limited to, applications, consent forms, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

C. Title VI Compliance Officer: The person or persons responsible for compliance with the Title VI LEP policies.

D. Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

IV. Providing Notice to LEP Individuals

A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

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List the current name, office telephone number and office address of the Title VI compliance officers

TeLeishia Holloway, Transportation Administrator
600 NC Highway 86 North
Hillsborough, NC 27278
919-245-2002
(Note: the agency will notify the DHHS compliance attorney of changes in name or contact information for the Title VI compliance officer.

B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

Identify areas within the agency where these signs will be posted:

Signage will be posted at the Orange County Public Transportation's Entry way/ lobby and breakroom.

C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public (including electronic text).

D. The agency will also disseminate information in the following manner:

Contacting translators for the all public outreach events and printing material.

V. Provision of Services to LEP Applicants/Recipients

A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:

   a. the language needs of each LEP applicant/recipient
   b. the points of contact where language assistance is needed;
   c. the resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.

2. Determining the Language Needs of the Population to be Served

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The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:

a. The non-English languages that are likely to be encountered in its program will be identified.

b. An estimate of the number of people in the community for who English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals local entities should review:

   i. census data
   ii. school system data
   iii. reports from federal, state, and local governments
   iv. community agencies' information, and
   v. data from client files

c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.

3. Determining the Language Needs of Each Applicant/Recipient

The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:

a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language. Check all methods that will be used:

   ☐ Multi-language identification cards, a poster-size language list, or the use of "I speak" peel-off language identification cards for indicating preferred languages

   ☐ English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy

   ☒ Other

b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client's primary language

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c. Staff will not solely rely on their own assessment of the applicant or recipient's English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge. A declaration of the client will be used to establish the client's primary language.

d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.

e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

B. Provision of Bilingual/Interpretive Services

1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

   This requirement will be met by: Orange County Public Transportation will utilize paid interpreter, qualified bilingual employees, and qualified employees of other agencies. (*Describe whether the agency has bilingual staff, and if so, how many and in what Sections/Programs/Divisions, whether the agency uses contractual services to meet this requirement, whether the agency relies on telephone interpreter services, etc.*)

2. The agency will provide language assistance at all level of interaction with LEP individuals, including telephone interactions.

   Describe how this requirement will be met: Orange County Public Transportation will utilize paid interpreters, qualified bilingual employees, and qualified employees of other agencies.

   (*Note: The agency may use paid interpreters, qualified bilingual employees, qualified employees of other agencies or community resources. Telephone interpreter services should only be utilized as a back-up system or where other language assistance options are unavailable.*)

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3. Interpreter Standards

   a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth below. The agency will ensure that interpreters and self-identified bilingual staff, have first been screened to ensure that the following standards are met before being used for interpreter services:

      i. Can fluently and effectively communicate in both English and the primary language of the LEP individual
      ii. Can accurately and impartially interpret to and from such languages and English
      iii. Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services
      iv. Demonstrates cultural competency
      v. Understands the obligation to maintain confidently
      vi. Understands the roles of interpreters and the ethics associated with being an interpreter

      Describe how the agency ensures the competency of bilingual staff and interpreters:

      Orange County Public Transportation utilizes the services of the Orange County Human Rights and Relations. Additionally, the County contracts with translators for both in-person services and print materials.

   b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.

4. Using Family Members or Friends as Interpreters

   a. Applicants/recipients may provide their own interpreter; however the agency will not require them to do so.

   b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services

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and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness or services or violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.

c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.

d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to temporarily act as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the DHHS upon request.

5. The agency will not require the applicant/recipient to pay for bilingual/interpretive services

6. Use of Interpreters at Hearings

a. An interpreter will be provided for all hearings if a party requests an interpreter or if the Hearing Officer determines that an interpreter is necessary.

b. A separate oath or affirmation to translate accurately shall be administered to all interpreters.

C. Provision of Written Translations

1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.

2. Translation of Vital Documents

a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.

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b. When state DHHS forms and other written material contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.

c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language. (We prefer counties do not translate DHHS forms. Please notify DHHS and DHHS will translate or verify county translation)

d. The agency will keep a record of all vital documents translated, and will submit this information to DHHS at their request.

3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. The notification will include, in the primary language of the applicant/recipient, the following language: IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.

D. Documentation of Applicant/Recipient Case Records

1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.

2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicant's/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:

a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.

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b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to NC DHHS upon request.

3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.

E. Staff Development and Training

1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:

   a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.

   b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.

2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.

3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state or federal dollars are trained in the requirements of this policy.

   Describe how this provision will be met: Orange County Public Transportation will utilize paid interpreters, qualified bilingual employees, qualified employees of other agencies

4. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours

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awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients and other applicable funded entities collect and maintain such information as well.

VI. Compliance Procedures, Reporting and Monitoring

A. Reporting

1. The agency will complete an annual compliance report and send this report to the appropriate agency within the Department. (Format will be supplied by DHHS)

B. Monitoring

1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system providing by the Department. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the Department upon request.

2. The agency will cooperate, when requested, with special review by the Department.

VII. Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

1. The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.

2. The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.

3. The agency will notify the appropriate agency or Division within DHHS of complaints filed the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Investigation

1. The Title VI compliance officer will conduct an investigation of the allegations of the complaint. The investigation will afford all

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interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

C. Resolution of Matters

1. If the investigation indicates a failure to comply with the Act, the agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

2. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Office of General Counsel within DHHS. This notice will be provided in the primary language of the individual with Limited English Proficiency.

3. If not resolved by DHHS, then complaint will be forwarded to OCR, USDHHS, and Region IV.

Submitted

_____
Director

Date: _____

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Language Assistance Measures

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into **any languages that meet the safe harbor threshold in Factor 1**.
- Vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our facilities, doctor's offices and shopping centers.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.
- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- Language line translation services at our call center.
- Where possible, utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
    - Note: We will not ask community-based organizations (CBO) to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethical concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we will not object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

Specific Measures by Language Group:

- Spanish :
    - Orange County Public Transportation will utilize paid interpreter, qualified bilingual employees, and qualified employees of other agencies
- Chinese:
    - Orange County Public Transportation will utilize paid interpreter, qualified bilingual employees, and qualified employees of other agencies
- Korean:
    - Orange County Public Transportation will utilize paid interpreter, qualified bilingual employees, and qualified employees of other agencies

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with LEP community contacts.

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Staff Support for Language Assistance

- Agency staff will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Officer and any outside consultant contracted to provide language services. This list will be updated as needed to remain current.
- All main offices and vehicles will have on hand a supply of language assistance flashcards and materials translated into the languages of the largest LEP language groups. When encountered by an LEP person, staff (including drivers) should present the individual with an iSpeak flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements (Section 5.0) and basic Title VI trainings (Section 11.0).

Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

Monitoring and Updating the LAP

Monitoring of daily interactions with LEP persons will be continuous, thus language assistance techniques may be refined at any time. This Plan will be periodically reviewed—at least annually—to determine if our assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

8.1 Demographic Request

The following form was used to collect required data on Key Community Contacts and nonelected committee members.

Orange County Public Transportation is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

Race/Ethnicity:	**National Origin:** (if born outside the U.S.)
☐ White	☐ Mexican
☐ Black/African American	☐ Central American: _____
☐ Asian	☐ South American: _____
☐ American Indian/Alaskan Native	☐ Puerto Rican
☐ Native Hawaiian/Pacific Islander	☐ Chinese
☐ Hispanic/Latino	☐ Vietnamese
☐ Other (please specify): _____	☐ Korean
	☐ Other (please specify): _____

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Gender: ☐ Male ☐ Female	**Age:** ☐ Less than 18 ☐ 18-29 ☐ 30-44 ☐ 45-64 ☐ 65 and older
Disability: ☐ Yes ☐ No	
I choose not to provide any of the information requested above: ☐	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Orange County Public Transportation at 919-245-2008 or by email at octransportationservices@orangecountync.gov.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____

Implementation

- Forms will be completed prior to NCDOT Title VI reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be ***required*** to complete this form for reporting purposes.
- If a member, for whatever reason, selects *"I choose not to provide any of the information requested above,"* this will be accepted as a ***completed*** form.
- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member's race and gender, based on the Coordinator's best guess.
- Data from these forms will be used to complete the Demographic Request Table.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.

8.2 Key Community Contacts

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Shannan Barnes	Orange County	Family Success Alliance	N
Marlyn Valeiko	Orange County	LEP Specialist/Outreach	N

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact any individual listed above must request that information from the Title VI Coordinator.

8.3 Summary of Outreach Efforts Made Since the Last Title VI Program submission

The following format is used to document URTS outreach efforts in reports to NCDOT. All meetings and disseminations of information capture information for the table below:

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
9/19/2020	11am	Transit Services in Orange County	General Public	Brochures, Bus Rider 101, Bike on Bus Information

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9/20/2020	11am	Transit Services in Orange County	General Public	Brochures, Bus Rider 101, Bike on Bus Information

9.0 STAFF TRAINING

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 15 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on how Title VI applies to their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings, such as agendas, sign-in sheets, copies of calendars, and certificates, will remain on file for at least three years (and in personnel files).

10.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Member names and full demographics for each committee are available, upon request.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population								
Orange Unified Transportation Board (Transit Advisory Board)	34%	66%	79%	16%			5%	

Strategies for Representative Committees

Diversification goals will be provided to our nonelected boards and committees to help ensure that their membership mirrors our service area demographics, as adequately as possible. We will provide periodic updates on our outreach efforts at meetings. When there is an opening on a board or committee, we will ensure the following:

- Current members will be made aware of diversity goals and polled for nominees.
- Officials from local minority groups will be made aware of the diversity goals and polled for nominees.
- Key Contacts from LEP groups will be contacted and polled for nominees.
- A recruitment notice for a Board Member opening will be posted on our website.
- An advertisement of recruitment notice for a Board Member will be placed with the local newspaper and other publications popular with minorities and other protected groups.

11.0 RECORD-KEEPING AND REPORTS

As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, on a schedule determined by NCDOT. Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will made available for inspection by authorized officials of the NCDOT and/or FTA. Reports on Title VI-related activities and progress to address findings identified during Title VI compliance reviews may also be provided, upon request. It will occasionally be necessary to update this Title VI Plan or any of its components (e.g., complaints, Public Involvement, and LEP). Updates will be submitted to NCDOT for review and approval and adopted by our Board when required.

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In addition to items documented throughout this Plan, records and reports due at the time of compliance reviews or investigations may include:

Compliance Reviews

- Title VI Program Plan
- List of civil rights trainings provided or received
- Summaries from any *internal* reviews conducted
- Ads and notices for specific meetings
- Findings from reviews by any other *external* agencies
- Title VI equity analyses and EJ assessments
- Discrimination Complaints Log

Complaint Investigations

- Investigative Reports
- Discrimination complaint, as filed
- List of interviewees (names and affiliations)
- Supporting Documentation (e.g., requested items, photos taken, dates and methods of contact, etc.)

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Appendix A
Applicable Nondiscrimination Authorities

During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.,* 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.),* as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.),* (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.,* Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, creed (religion), sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.),* (prohibits discrimination on the basis of sex);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed (religion), color, national origin, or sex);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

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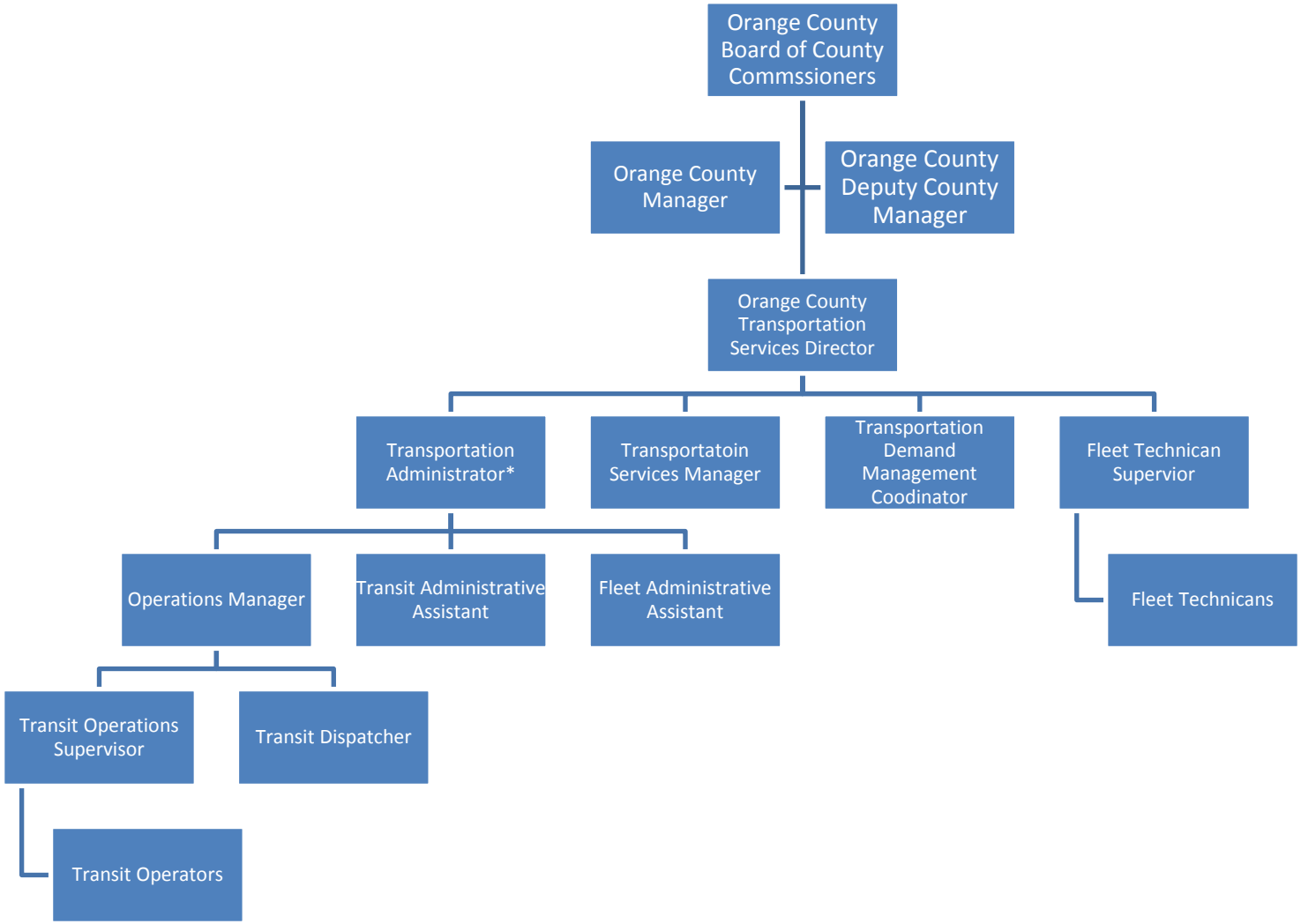
Appendix B
Organizational Chart



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Appendix C
NCDOT's Compliance Review Checklist for Transit

I. Program Administration (General Requirements)

Requirement: *FTA C 4702.1B – Title VI Requirements and Guidelines for FTA Recipients, Chapter III – General Requirements and Guidelines.*

Note: Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.

Requested Items **(Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)**	**Completed**
1. A copy of the recipient's *signed* NCDOT's Title VI Nondiscrimination Agreement	☐
2. Title VI Policy Statement *(signed)*	☐
3. Title VI Notice to the Public, including a list of locations where the notice is posted	☐
4. Type the name and title of your Title VI Coordinator and attach a list of their Title VI duties **Name/Title:**	☐
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	☐
6. Title VI Complaint Form	☐
7. List of transit-related Title VI investigations, complaints, and lawsuits (i.e., discrimination complaints log)	☐
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, limited English proficient populations (LEP), low-income, disabled), as well as a summary of outreach efforts made since the last Title VI Program submission	☐
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	☐
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees	☐
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions ***reviewed and approved*** the Title VI Program	☐
12. A description of the procedures the agency uses to ensure nondiscriminatory administration of programs and services	☐
13. **If you pass through FTA funds to other organizations**, include a description of how you monitor your subrecipients for compliance with Title VI, and a schedule for your subrecipients' Title VI Program submissions. ➢ **No Subrecipients** ☐	☐
14. A Title VI equity analysis **if you have constructed or conducted planning for a facility**, such as a vehicle storage facility, maintenance facility, operation center, etc. ➢ **No Facilities Planned or Constructed** ☐	☐
15. Copies of environmental justice assessments conducted for **any construction projects during the past three years** and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities ➢ **No Construction Projects** ☐	☐

16. If the recipient has undergone a Title VI Compliance Review in the last 3 years, please indicate the year of the last review and who conducted it. **Year/Agency:**	☐

II. Transit Providers

Requirement: *FTA C 4702.1B, Chapter IV – Requirements and Guidelines for Fixed Route Transit Providers.*

Note: All NCDOT subrecipients that provide ***fixed route*** public transportation services (e.g., local, express or commuter bus; bus rapid transit; commuter rail; passenger ferry) must complete this section.

➢ **Not Applicable** ☐ (**Check this box if you do not provide *fixed route* services, and skip questions 17 and 18.** This section does not apply to you if you ***only*** provide demand response services.)

Requested Items **(Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)**	**Completed**
17. Service standards (**quantitative measures**) developed for *each specific fixed route mode* that the recipient provides (standards may vary by mode) must be submitted for each of the following indicators: • Vehicle load for each mode *(Can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.)*	☐
• Vehicle headway for each mode *(Measured in minutes (e.g., every 15 minutes), headway refers to the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Service frequency is measured in vehicles per hour (e.g., 4 buses per hour).)*	☐
• On time performance for each mode *(Expressed as a percentage, this is a measure of runs completed as scheduled. The recipient must define what is considered to be "on time." Performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along a route.)*	☐
• Service availability for each mode *(Refers to a general measure of the distribution of routes within a transit provider's service area, such as setting the maximum distance between bus stops or train stations, or requiring that a percentage of all residents in the service area be within a one-quarter mile walk of bus service.)*	☐
18. Service policies (**system-wide policies**) adopted to ensure that service design and operations practices do not result in discrimination on the basis of race, color or national origin, must be submitted for each of the following: • Transit amenities for each mode *(e.g., benches, shelters/canopies, printed materials, escalators/elevators, and waste receptacles. **NOTE:** Attach this information only if you have decision-making authority over siting transit amenities or you set policies to determine the siting of amenities.)*	☐
• Vehicle assignment for each mode *(Refers to the process by which transit vehicles are placed into service throughout a system. Policies for vehicle assignment may be based on the type or age of the vehicle, where age would be a proxy for condition, or on the type of service offered.)*	☐

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Appendix D
Orange County's LEP Demographics

	Orange County, North Carolina	
	Estimate	Margin of Error
Total:	129,155	+/-61
Speak only English	108,562	+/-854
Spanish or Spanish Creole:	9,392	+/-461
Speak English "very well"	4,604	+/-599
Speak English less than "very well"	4,788	+/-644
French (incl. Patois, Cajun):	889	+/-270
Speak English "very well"	760	+/-266
Speak English less than "very well"	129	+/-69
French Creole:	55	+/-50
Speak English "very well"	42	+/-41
Speak English less than "very well"	13	+/-24
Italian:	191	+/-99
Speak English "very well"	141	+/-77
Speak English less than "very well"	50	+/-61
Portuguese or Portuguese Creole:	88	+/-86
Speak English "very well"	68	+/-77
Speak English less than "very well"	20	+/-36
German:	573	+/-164
Speak English "very well"	528	+/-164
Speak English less than "very well"	45	+/-42
Yiddish:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other West Germanic languages:	80	+/-46
Speak English "very well"	80	+/-46
Speak English less than "very well"	0	+/-29
Scandinavian languages:	162	+/-111
Speak English "very well"	146	+/-97
Speak English less than "very well"	16	+/-25
Greek:	176	+/-131
Speak English "very well"	136	+/-114
Speak English less than "very well"	40	+/-66
Russian:	483	+/-248

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	Orange County, North Carolina	
	Estimate	Margin of Error
Speak English "very well"	403	+/-235
Speak English less than "very well"	80	+/-55
Polish:	113	+/-82
Speak English "very well"	102	+/-79
Speak English less than "very well"	11	+/-19
Serbo-Croatian:	32	+/-45
Speak English "very well"	32	+/-45
Speak English less than "very well"	0	+/-29
Other Slavic languages:	293	+/-156
Speak English "very well"	283	+/-155
Speak English less than "very well"	10	+/-15
Armenian:	26	+/-29
Speak English "very well"	17	+/-21
Speak English less than "very well"	9	+/-13
Persian:	246	+/-153
Speak English "very well"	163	+/-103
Speak English less than "very well"	83	+/-75
Gujarati:	128	+/-75
Speak English "very well"	107	+/-69
Speak English less than "very well"	21	+/-33
Hindi:	249	+/-128
Speak English "very well"	249	+/-128
Speak English less than "very well"	0	+/-29
Urdu:	128	+/-109
Speak English "very well"	128	+/-109
Speak English less than "very well"	0	+/-29
Other Indic languages:	294	+/-178
Speak English "very well"	274	+/-176
Speak English less than "very well"	20	+/-25
Other Indo-European languages:	185	+/-76
Speak English "very well"	173	+/-74
Speak English less than "very well"	12	+/-19
Chinese:	2,533	+/-490
Speak English "very well"	1,640	+/-371
Speak English less than "very well"	893	+/-261
Japanese:	205	+/-100
Speak English "very well"	173	+/-97
Speak English less than "very well"	32	+/-36
Korean:	1,209	+/-364
Speak English "very well"	650	+/-300
Speak English less than "very well"	559	+/-240
Mon-Khmer, Cambodian:	31	+/-38
Speak English "very well"	0	+/-29
Speak English less than "very well"	31	+/-38
Hmong:	31	+/-34
Speak English "very well"	31	+/-34
Speak English less than "very well"	0	+/-29
Thai:	83	+/-97
Speak English "very well"	15	+/-24
Speak English less than "very well"	68	+/-92
Laotian:	15	+/-22
Speak English "very well"	15	+/-22
Speak English less than "very well"	0	+/-29
Vietnamese:	226	+/-156
Speak English "very well"	202	+/-154
Speak English less than "very well"	24	+/-37
Other Asian languages:	1,522	+/-546
Speak English "very well"	744	+/-225
Speak English less than "very well"	778	+/-390

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	Orange County, North Carolina	
	Estimate	Margin of Error
Tagalog:	229	+/-145
Speak English "very well"	152	+/-101
Speak English less than "very well"	77	+/-73
Other Pacific Island languages:	43	+/-43
Speak English "very well"	31	+/-40
Speak English less than "very well"	12	+/-19
Navajo:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Other Native North American languages:	0	+/-29
Speak English "very well"	0	+/-29
Speak English less than "very well"	0	+/-29
Hungarian:	35	+/-46
Speak English "very well"	35	+/-46
Speak English less than "very well"	0	+/-29
Arabic:	195	+/-148
Speak English "very well"	161	+/-137
Speak English less than "very well"	34	+/-44
Hebrew:	104	+/-69
Speak English "very well"	85	+/-57
Speak English less than "very well"	19	+/-32
African languages:	331	+/-203
Speak English "very well"	316	+/-201
Speak English less than "very well"	15	+/-20
Other and unspecified languages:	18	+/-26
Speak English "very well"	6	+/-10
Speak English less than "very well"	12	+/-17