



TITLE VI PROGRAM
January 2020

Introduction

This document was prepared by ICTC and approved by the Commission in order to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation's FTA circular 4702.1B "Title VI Requirements and Guidelines for Federal Transit Administration Recipients."

As a recipient of funds administered by the U.S. Department of Transportation, it is the policy of the Imperial County Transportation Commission to effectuate Title VI of the Civil Rights Act of 1964 as amended. It requires that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity which is federally funded.

Prohibited practices include but are not limited to:

- Denying a person any service or benefit because of race, color, or national origin.
- Providing a different service or benefit or providing services or benefits in a different manner.
- Locating facilities in any way that would limit or impede access to a federally funded service or benefit.

The Environmental Justice component of Title VI guarantees fair treatment for people of all races, cultures, and incomes regarding the development of environmental justice laws, regulations and policies.

Under Title VI, ICTC must:

- Ensure involvement of low-income and minority groups in the decision-making process (public involvement).
- Safeguard low-income and minority groups against disproportionately high and adverse human health or environmental impacts of its programs, policies and activities.
- Ensure low income and minority groups receive their fair share of benefits.

The Executive Director is responsible for initiating and monitoring Title VI activities, preparing required reports and ensuring that the Commission adheres to other compliance responsibilities as required by applicable regulations. ICTC's Title VI Plan provides the direction and program structure for ensuring the Commission's compliance with Title VI. Functional responsibility rests with ICTC staff and each and every transit provider under contract with ICTC. ICTC will not accept discrimination against any participant or beneficiary of ICTC programs or services by an employee or contractor in the performance of assigned duties, services or programs.

In the event ICTC distributes federal funds to another entity, the ICTC will monitor and ensure the compliance of each member agency and third party contractor at any tier and each sub-recipient at any tier under the project, with all requirements prohibiting discrimination on the basis of race, color, or national origin; and will include non-discrimination language in all written agreements.

Any person believing, they have been discriminated against based on race, color, or national origin in the provision of services, programs, activities, or benefits, may file a formal complaint directly with ICTC or with the Federal Transit Administration.



MARK BAZA, Executive Director

Table of Contents

Regulatory Authority.....	3
ICTC Title VI Program policy.....	4
Title VI Notice to the Public.....	5
List of Locations Where Title VI Notice is Posted.....	6
Title VI Complaint Procedures (English).....	7
Title VI Complaint Procedures (Spanish).....	10
Public Participation Plan.....	13
Summary of Outreach Efforts Made Since 2017 Title VI Submission.....	14
Limited English Proficiency (LEP)	15
Subrecipient Monitoring and Schedule of Subrecipient Title VI Program Submission.....	22
Title VI equity analysis.....	23
Requirements and Guidelines for Fixed Route Transit Providers.....	24
Appendices.....	25
A. Commission Minute Order # 012220-4D	
B. Title VI Complaint Form (English)	
C. Title VI Complaint Form (Spanish)	
D. List of Transit-Related Title VI Investigations, Complaints, and Lawsuits (as of: January 2020)	
E. Table of Racial Breakdown of transit related non-elected planning boards, advisory councils or committees	

Regulatory Authority

Because Title VI is comprehensive in scope, it covers all of an agency's federally funded programs or activities. This is the case because Title VI of the Civil Rights Act of 1964, as amended, 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 otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

The impact of Title VI has been further extended by the Civil Rights Restoration Act of 1987. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not [Pub. L. No. 100-259, 102 Stat. 28 (1988)]. Authorities and citations that espouse the requirements of Title VI include:

- *Title VI Requirements and Guidelines For Federal Transit Administration Recipients*, FTA Circular 4702.1B, dated October 2012
- *Title VI of the Civil Rights Act of 1964*, as amended, 42 U.S.C. 2000 et seq.
- 23 United States Code 109(h), *Highway – Standards*
- 23 United States Code 324, *Prohibition of Discrimination on the Basis of Sex, Federal Aid Highway Act*
- 49 United States Code 5332, *Mass Transportation – Nondiscrimination*
- "Standard DOT Title VI/Nondiscrimination Assurances", Department of Transportation Order 1050.2A
- "Implementation of the Department of Transportation Title VI Program", Department of Transportation Order 1000.12
- *Joint Planning Regulations of the Federal Transit Administration and the Federal Highway Administration*, 23 CFR Part 450 and Part 613
- Section 12(f) of the Urban Transportation Act of 1964, as amended, 49USC 1608(f)
- Executive Order 12250, *Coordination of Grant Related Civil Rights Statutes*
- Executive Order 12898, *Executive Order on Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*
- *Guidelines For The Enforcement of Title VI, Civil Rights Act of 1964*, 28 Code of Federal Regulations 50.3
- *Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation –Title VI Of The Civil Rights Act Of 1964*, 49 Code of Federal Regulations Part 21
- Subpart C—*Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964*, 28 CFR Part 42.101-42.412
- *Department of Justice (DOJ) Guidelines for the Enforcement of Title VI of the Civil Rights Act of 1964*, 28 CFR 50.3
- *Title II and III of the Uniform Relocation Assistance And Real Property Acquisition Policies Act of 1970*, 42 U.S.C. 4621-4655

Imperial County Transportation Commission Title VI Program Policy

Policy Statement

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

As a Federal Transit Administration (FTA) fund recipient. ICTC will ensure that its program policies and activities comply with the Department of Transportation (DOT) Title VI regulations of the Civil Rights Act of 1964.

ICTC will ensure that the level and quality of its services and programs are provided without regard to race, color or national origin.

ICTC will promote the full and fair participation of all affected populations in any decision or policy making process.

ICTC will ensure that Limited English Proficient (LEP) individuals have access to ICTC's programs, activities and services.

Applicability

This policy is applicable to all ICTC employees, contactors hired by ICTC and the members of the public. Failure of an ICTC employee to follow this policy and procedure may subject the employee to disciplinary action up to an including employment termination.

Administration of the Regulation

ICTC will integrate the provisions of the Title VI program into all programs activities and services.

ICTC's Title VI Notice to the Public

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs receiving federal financial assistance. Any person who feels they have been discriminated against with respect to transit services or benefits on the basis of race, color, or national origin may file a written complaint with the Imperial County Transportation Commission.

For more information or to file a complaint, you may contact the Title VI Program Administrator, Michelle Bastidas at (760) 592-4494; or by email: michellebastidas@imperialctc.org; or visit ICTC at:

Imperial County Transportation Commission
1503 N. Imperial Ave. Suite 104
El Centro, Ca. 92243

Complaints also may be filed directly with the Federal Transit Administration (FTA).

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor-TCR,
1200 New Jersey Ave., SE
Washington, DC 20590

Título VI de la acta de los derechos civiles de 1964 prohíbe discriminación en la base de raza, color, u origen nacional en programas que reciben ayuda financiera federal. Individuos, o individuos como miembros de una clase específica de personas, que sienten que han sido objeto de discriminación con respecto a los servicios de tránsito o beneficios sobre la base de raza, color u origen nacional puede presentar una queja por escrito a la Comisión de Transporte del Condado de Imperial.

Para más información o para someter una queja, debe contactar al Coordinador del Programa Titulo VI, Michelle Bastidas al número (760) 592-4494; o por correo electrónico a michellebastidas@imperialctc.org; o en persona al:

Imperial County Transportation Commission
1503 N. Imperial Ave. Suite 104
El Centro, Ca. 92243

Las quejas también pueden ser sometidas directamente con la Administración Federal de Tránsito (FTA).

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor-TCR,
1200 New Jersey Ave., SE
Washington, DC 20590

List of Locations Where the Title VI Notice is Posted

ICTC's Title VI notice to the public is currently posted at the following locations:

Location Name	Address	City
ICTC Offices	1503 N. Imperial Ave. Suite 104	El Centro, Ca. 92243
website	www.imperialctc.org	
website	www.ivtransit.com	
website	www.ivtaccess.org	
website	www.ivtride.com	
website	www.ivtmedtrans.com	
IVT and IVT Access bus operations facilities	792 E. Ross Rd.	El Centro Ca. 92243
IVT Rider's Guidebook	N/A	
IVT Ride Brochure	N/A	
IVT MedTrans Brochure	N/A	
IVT Access Brochure	N/A	

Title VI Complaint Procedures

TITLE VI DISCRIMINATION COMPLAINT PROCEDURE (ENGLISH)

General

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs receiving federal financial assistance. Individuals, or individuals as members of a specific class of persons, who feel they have been discriminated against with respect to transit services or benefits on the basis of race, color, or national origin may file a written complaint with the Imperial County Transportation Commission. Complainants may also file a written complaint directly with the Federal Transit Administration (FTA). FTA recommends, but does not require, that individuals first file a complaint directly with their transit provider to give it an opportunity to resolve the situation.

Complaint Procedures

Complaints alleging discrimination on the basis of race, color, or national origin may be submitted to the Title VI Coordinator of the Imperial County Transportation Commission, 1503 N. Imperial Ave Suite 104, El Centro, CA 92243. Every effort will be made to obtain early resolution of complaints.

1. The complaint must meet the following requirements:
 - a. The Complaint shall be in writing and signed by the complainant(s). In the event that the complainant cannot complete a written statement, a verbal complaint may be made. The Title VI Coordinator will interview the Complainant and assist the person in converting the verbal complaint to writing. All complaints must be signed by the Complainant or his/her representative.
 - b. The Complaint must contain information about the alleged discrimination such as name, address, and phone number of complainant, and location, date and description of the issue. The description of the alleged act of discrimination or disparate treatment should include, as appropriate: type or name of service, bus number, location (city/streets) date and time of day, employee name, position or badge number if available, and any person(s) involved or witnesses to the problem.
 - c. Per federal law the complaint must be filed within 180 days of the alleged incident.
 - d. The complaint should be submitted to:
Imperial County Transportation Commission
Attn: Michelle Bastidas, Title VI Coordinator
1503 N. Imperial Ave., Suite 104, El Centro Ca, 92243
Office: (760) 592-4494
Fax: (760) 592-4410
E-mail address: michellebastidas@imperialctc.org
2. The ICTC Title VI coordinator will acknowledge receipt of the complaint within ten (10) working days.

Investigation of Complaints

The Title VI Coordinator will review all complaints to determine if there is sufficient merit to warrant investigation. In some cases there may be a written request to the complainant to provide additional information. If a complaint is found to have sufficient merit to warrant investigation, the Title VI Coordinator will proceed with an investigation. If the complaint does not warrant investigation, the Title VI Coordinator will then respond within thirty (30) working days to the Complainant and so state.

A complaint can be rejected or dismissed for the following reasons:

1. The complaint is filed past the 180 days of the alleged occurrence
2. The complaint is not signed or is anonymous
3. The complainant fails to respond to repeated request for additional information
4. The complainant cannot be located
5. The complainant request the withdrawal of the complaint

Disposition of Complaints

A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Title VI Coordinator and a copy forwarded to the complainant no later than sixty (60) calendar days after its filing.

A recommendation will be made by the Title VI Coordinator and will be subject to review by the ICTC Executive Director and ICTC Legal Counsel.

In the event that the ICTC or its federally funded contractors and consultants are in non-compliance with the Title VI regulations, remedial actions will be noted.

The notice of the determination will be mailed to the Complainant. Notice shall include information on appeal rights and instructions for initiating an appeal.

A copy of the complaint and the Title VI Coordinator's report shall be issued to the FTA within 120 days of the receipt of the complaint.

A summary of the complaint, the finding or resolution will be included as a part of the Title VI updates to the FTA.

Appealing Disposition of Complaints

Complainants that are not satisfied with the disposition of the complaint may appeal to the Executive Director.

1. The appeal should be made with the Title VI Coordinator within ten (10) working days of the date of the resolution.
2. The Executive Director will acknowledge receipt of the appeal within ten (10) working days of receiving the request for appeal.
3. The Executive Director may make a final determination or may choose to refer the matter to the Commission for final action.
4. The resolution and/or referral to the Commission will be communicated to the complainant. The Commission's decision will be communicated to the complainant and/or his/her designee in writing.

Record Keeping Requirements

The Title VI Coordinator shall maintain a record of each complaint and appeal, the ICTC's response(s), and steps taken to resolve the complaint. The individual's right to a prompt and equitable resolution of a complaint will not be impaired by his/her pursuit of other remedies. The use of this grievance process is not a prerequisite to the pursuit of other remedies.

Filing Title VI Discrimination Complaints with the Federal Transit Administration

Individuals may also file Title VI discrimination complaints with the Federal Transit Administration. The Federal Transit Administration's Complaint Procedure is contained in the FTA Circular C4702.1B.

Additional Resources

United States Department of Transportation

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor-TCR,
1200 New Jersey Ave., SE
Washington, DC 20590

California Department of Transportation

Office of Business & Economic Opportunity
Equal Employment Opportunity Program
Discrimination Complaint Investigation Unit
1823 14th Street, MS 79
Sacramento, California 95811
(866) 810-6346

<https://dot.ca.gov/programs/rail-and-mass-transportation/title-vi-program>

Title VI Complaint Procedures

TITLE VI DISCRIMINATION COMPLAINT PROCEDURE (SPANISH)

PROSEDIMIENTO DE RECLAMO DE DISCRIMINACION DE TITULO VI

General

Título VI de la acta de los derechos civiles de 1964 prohíbe discriminación en la base de raza, color, u origen nacional en programas que reciben ayuda financiera federal. Individuos, o individuos como miembros de una clase específica de personas, que sienten que han sido objeto de discriminación con respecto a los servicios de tránsito o beneficios sobre la base de raza, color u origen nacional puede presentar una queja por escrito a la Comisión de Transporte del Condado de Imperial. Las quejas también pueden ser sometidas directamente con la Administración Federal de Tránsito (FTA). La FTA recomienda, aunque no es obligatorio, que el reclamante someta la queja directamente con el proveedor de servicios de tránsito para dar oportunidad de resolver la situación.

Procedimientos de Quejas

Quejas de presunta discriminación en la base de raza, color, u origen nacional pueden ser enviadas al Coordinador del Título VI de la Comisión de Transporte del Condado de Imperial, 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243. Todo esfuerzo será hecho para obtener resolución temprana de quejas.

1. La queja debe tener los requisitos siguientes:
 - a. La queja debe ser escrita y firmada por el reclamante. En caso de que el reclamante no pueda completar una declaración por escrito, una queja verbal puede ser aceptada. El Coordinador del Título VI entrevistará al reclamante y ayudará a la persona a convertir la queja verbal a la escritura. Todas las quejas deben ser firmadas por el Reclamante o su representante.
 - b. La queja debe contener información sobre la discriminación pretendida como nombre, dirección, y el número de teléfono del reclamante, y de la ubicación, la fecha y la descripción del asunto. La descripción del acto pretendido de discriminación o trato desigual debe incluir, como apropiado: tipo o nombre de servicio, número de camión, la ubicación (las ciudad/calles) la fecha y el tiempo de día, nombre del empleado, número de posición o insignia si disponible, y cualquier persona involucrada o los testigos al problema.
 - c. Por la ley federal la queja debe ser archivada dentro de 180 días del incidente pretendido.
 - d. La queja debe ser sometida a:
Comisión de Transporte del Condado de Imperial (ICTC)
A la atención de: Michelle Bastidas, Coordinador del Título VI
1503 N. Imperial Ave., Suite 104, El Centro, CA 92243
Oficina: (760) 592-4494
Fax: (760) 592-4410
Correo electrónico: michellebastidas@imperialctc.org
2. El Coordinador del Título VI de ICTC reconocerá recibo de la queja dentro de diez (10) días hábiles.

Investigación de Quejas

El Coordinador del Título VI revisara todas las denuncias para determinar si hay méritos suficientes para justificar una investigación. En unos casos podría haber una petición por escrito al reclamante para proporcionar información adicional. Si la queja es encontrada de tener mérito suficiente para justificar investigación, el Coordinador de Título VI continuará con una investigación. Si la queja no justifica investigación, el Coordinador de Título VI responderá dentro de treinta (30) días hábiles al reclamante e indicárselo.

La queja puede ser rechazada o puede ser despedida por las razones siguientes:

1. La queja es archivada después de los 180 días de la ocurrencia pretendida
2. La queja no es firmada o es anónima
3. El Reclamante falla a responder a la petición repetidamente para información adicional
4. El Reclamante no puede ser localizado
5. El Reclamante solicita retirar la queja

Disposición de Quejas

Una determinación por escrito sobre la validez de la queja y una descripción de la resolución, en su caso, será emitida por el Coordinador del Título VI y se enviará una copia al reclamante dentro de sesenta días hábiles (60) después de su presentación.

Una recomendación será hecha por el Coordinador de Título VI y será revisada por el Director Ejecutivo de ICTC y la Asesoría Legal de ICTC.

En caso de que ICTC o sus contratistas y consultores que son financiados federalmente no estén en conformidad con las regulaciones del Título VI, acciones correctivas serán distinguidas.

El aviso de la determinación será enviado al Reclamante. El aviso incluirá información en derechos de apelación e instrucciones para iniciar una apelación.

Una copia de la queja y del reporte del Coordinador de Título VI será publicado al FTA dentro de 120 días de haber recibido la queja.

Un resumen de la queja, el hallazgo o la resolución serán incluidos como una parte de las actualizaciones de Título VI al FTA.

Apelación de Disposición de Quejas

Los reclamantes que no son satisfechos con la disposición de la queja pueden apelar al Director Ejecutivo.

1. La apelación debe ser presentada por medio del Coordinador de Título VI dentro de diez (10) días hábiles de la fecha de la resolución.
2. El Director Ejecutivo notificara haber recibido la apelación dentro de diez (10) días hábiles de recibir la petición para apelación.
3. El Director Ejecutivo puede hacer una determinación final o puede referirse el asunto a la Comisión para la acción final.
4. La resolución y/o la referencia a la Comisión serán comunicadas al reclamante. La decisión de la Comisión será comunicada por escrito al reclamante y/o a su designado.

Requisitos de Archivado

El Coordinador del Título VI llevará un registro de cada queja y apelación, la respuesta de ICTC, y las medidas adoptadas para resolver la queja. El derecho del individuo a una resolución pronta y equitativa de una denuncia no se verá afectada por su búsqueda de otros recursos. El uso de este proceso de queja no es un requisito previo para la búsqueda de otros recursos.

Presentación de Reclamo de discriminación de Título VI a la Administración Federal de Tránsito

Individuos también pueden presentar quejas de discriminación Título VI a la Administración Federal de Tránsito. El procedimiento de demanda de la Administración Federal de Tránsito está contenido en el FTA Circular C4702.1B.

United States Department of Transportation

Federal Transit Administration
Civil Rights Division
Attention: Complaint Team
East Building, 5th Floor-TCR,
1200 New Jersey Ave., SE
Washington, DC 20590

California Department of Transportation

Office of Business & Economic Opportunity
Equal Employment Opportunity Program
Discrimination Complaint Investigation Unit
1823 14th Street, MS 79
Sacramento, California 95811
(866) 810-6346

<https://dot.ca.gov/programs/rail-and-mass-transportation/title-vi-program>

PUBLIC PARTICIPATION PLAN FOR TITLE VI

ICTC and sub-recipients are required to seek out and consider the viewpoints of the public in its service areas and specifically minority, low-income, and Limited English Populations (LEP) in the course of conducting public outreach and involvement activities. An agency's public participation strategy shall offer continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

ICTC will continue to employ the following measures to seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. These measures are adopted from the ICTC Public Participation Plan and also in the Title VI Program. The public outreach and involvement activities listed below were also undertaken since the last Title VI Program report and shall remain in place to ensure that minority, low-income and LEP people have meaningful access to these activities.

1. Bilingual (English & Spanish) information operators are available to respond to customers calling the ICTC and transit service information lines.
2. Bilingual (English & Spanish) staff is available to answer telephone inquiries for ICTC ADA certification interviews and ADA paratransit scheduling.
3. Bilingual (English & Spanish) staff will perform the ADA certification interview as requested, or if the interview scheduler believes that it would be necessary or beneficial.
4. The following materials shall be available in both English and Spanish: (1) ADA Certification Brochure; (2) ADA Certification Application; (3) IVT Riders Guides (4) Disabled Transit Services information.
5. ICTC shall provide bilingual (English & Spanish) language media advertising as part of the countywide transit marketing program.
6. The websites for ICTC and the transit services shall be in bilingual format; www.imperialctc.org, www.ivtransit.com, www.ivtaccess.com, www.ivtride.com, www.ivtmedtrans.com
7. Bilingual (English & Spanish) staff is available at public meetings, public hearings and Commission meetings and committees.

Summary of Outreach Efforts Made Since Last Title VI Documentation Submission

Over the last reporting period, ICTC conducted the following public outreach and involvement activities:

Printed Bus Schedules and Transit Information on the website.

All public bus schedules and the Riders Guides include Spanish sections and information is available on the IVT and IVT Access websites.

Bilingual Outreach:

Bilingual assistance is utilized in outreach programs when needed and appropriate. ICTC conducts on-going advertising and public hearing notices in a bilingual format. In addition, the recent: 1. The ADA Certification and Eligibility Process 2017. 2. The 2019-20 Unmet Transit Needs Public Hearing process has interpreters available for translation for both public meetings. 3. The ongoing mobility coordination and outreach program staff is bilingual.

Phone Access

A bilingual receptionist is available to answer phone inquiries for Spanish speaking customers during business hours. The ICTC phone system currently includes a Spanish option on the ICTC's recorded greeting. After business hours inquiries can be left on the bilingual voice mail and are responded to promptly the next business day.

All IVT and IVT Access dispatchers, reservationists and drivers are bilingual and able to provide monolingual speaking guests with information on public transit services.

Access for Persons with Limited English Proficiency (LEP)

Introduction

Many individuals in the United States read, write, speak and understand English. However, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits.

There are two pieces of legislation that provide the foundation for the development of an LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166. In some circumstances, failure to ensure that LEP persons can effectively participate in federally assisted programs may constitute discrimination based on national origin under Title VI. In order to comply with Title VI, agencies should take reasonable actions for competent language assistance.

Executive Order 13166 clarifies requirements for LEP persons under Title VI. The Executive Order requires the agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services.

Four Factor Analysis

The U. S. Department of Transportation (DOT) issued its *Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons* [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. This coverage extends to the recipient’s entire program. There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons:

- 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;
- The frequency with which LEP individuals come in contact with the program;
- The nature and importance of the program, activity or service provided by the recipient to people’s lives;
- The resources available to the recipient and costs.

A brief description of the self-assessment undertaken in each of these areas follows.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.

Spanish speakers are the category of LEP persons likely to be encountered by Imperial Valley Transit (IVT) and ADA Paratransit services. For Imperial County, the Census 2010 information shows that the total population over 5 years of age and over is 174,528. Of that number 80.4% or 140,271 are reported to be of Hispanic or Latino descent.

According to the 2014-2018 American Community Survey (ACS) Estimates for Imperial County (conducted by the US Census Bureau) also indicates that persons who speak only English at home comprise 25.4% of persons in the County of Imperial. While those that speak Spanish are estimated to be at 73.1%.

These percentages show a slight decrease in English speakers and a slight decrease in Spanish speakers from the 2000 Census and prior 2012 ACS survey data.

2. The frequency with which LEP individuals come in contact with the program.

ICTC staff in conjunction with IVT and the ADA Paratransit operator staff have assessed the frequency at which staff has or could possibly have contact with LEP persons. This includes examining census data, phone inquiries, requests for translated documents, and staff feedback. Census data, as well as empirical data indicate that there is a fairly large percentage of the general population who are Spanish-speaking persons. As a public transportation provider, it is necessary to recognize this large segment of the general population. Phone inquiries and staff feedback also indicate that Spanish-speaking LEP persons have regular contact with the service.

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

Public transportation is vital to many people's lives. According to the Department of Transportation's *Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons*, "Providing public transportation access to LEP persons is crucial. An LEP person's inability to effectively utilize public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment."

4. The resources available to the recipient and costs.

ICTC staff have also assessed their available resources that could be used to provide language assistance. This included identifying bilingual staff, review of contract for professional translation services, determining which documents should be translated, and deciding what level of staff training is needed. After analyzing the four factors outlined in U. S. DOT policy guidance, ICTC staff developed the following plan for providing language assistance to LEP persons.

Components of the Plan

There are five areas that comprise ICTC's LEP plan:

- Identifying LEP individuals who need language assistance
- Language assistance measures
- Training staff
- Providing notice to LEP persons
- Monitoring and updating the LEP plan

1. Identifying LEP individuals who need language assistance

As stated above, the Census 2010 and American Community Survey data show that Spanish-speaking LEP persons are the group requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area. There are nine zip code areas with a high percentage of LEP persons 92231, 92243, 92244, 92250, 92251, 92227. Higher percentages of LEP persons can also be identified more accurately by census tracts.

In general, there are higher populations of LEP persons on the southern areas of the County of Imperial, in immediate proximity to the international border with Mexico. Identifying concentrations of LEP persons helps to ensure that they receive the necessary language assistance measures. There are also several measures that can be taken to identify individual persons who may need language assistance:

- When open houses or public meetings are held, set up a sign-in table and have a staff member greet and briefly speak to each attendee in order to informally gauge his/her ability to speak and understand English.
- Post a notice of available language assistance at open houses/public meetings to encourage LEP persons to self-identify.

2. Language assistance measures

There are several language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which ICTC staff responds to LEP persons, whether in person, by telephone or in writing. Oral language services include bilingual front-line staff for ICTC office technician position and Mobility Coordination staff, as well as, at community presentations and events. Professional interpreters are available as needed for a variety of presentations and events.

In addition to these oral language services, written language services are available. Documents that are determined to be available for the general public are translated into Spanish. Vital documents are *defined as those documents without which a person would be unable to access services*. The following are written communications that are printed in both Spanish and English:

- Public Notices and Public Service announcements
- Interior bus posters and stickers displaying safety or system information
- Fare cards on fare boxes
- Onboard surveys
- Riders guides

There are several measures in place to respond to LEP individuals. Bus operators, who are the most direct point of contact for LEP persons, have several methods to respond to an LEP individual. Many bus drivers are bilingual; however, if the bus driver operator is not bilingual, they are instructed to ask for assistance from a bilingual passenger. In the few cases where there is no one on the bus who can offer language assistance, the bus driver contacts dispatch, and a supervisor is sent to the bus to assist. Spanish speaking callers are directed to a bilingual dispatcher.

Office Technician and Mobility Coordination staff serve as a primary in-person contact for LEP persons. They are present at special events, community functions, school presentations and other locations upon request. The need for a professional interpreter is determined by the venue, the area, and the subject of the event. The person coordinating the event can indicate if there will be Spanish speaking people in attendance, and can request a bilingual professional interpreter. Office technician, Mobility Coordination staff, dispatchers and drivers are also responsible for forwarding complaints to the appropriate management level. They ensure that complaints from LEP persons that could be considered as national origin discrimination are forwarded to the person designated to handle all Title VI complaints.

IVT

The IVT oral language services include bilingual representatives for the reservation line, which serves as the primary contact with customers, as well as bilingual staff in the dispatch center, including bilingual Supervisors. Between these two centers there is at least one bilingual person on staff at all times. The IVT service also has a majority of bilingual vehicle operators. In addition to these oral language services, several written language services are available. The following are written communications that are printed in both Spanish and English:

- The IVT Schedule Guide
- Marketing materials i.e. television and radio commercials
- Interior vehicle posters and stickers displaying vital information, such as safety information
- Brochures with information about accessibility and general riding
- ADA compliant website

There are several measures in place to respond to LEP individuals. Vehicle operators, who are the primary in-person contact for LEP persons, have several methods to respond to an LEP individual. Many vehicle operators are bilingual; however, if the vehicle operator is not bilingual, they can contact dispatch for radio assistance with a Spanish-speaking passenger. They

can also request a bilingual supervisor or vehicle operator to be sent for further assistance. Spanish speaking callers are directed to a bilingual dispatcher.

ADA Paratransit

The ADA Paratransit service oral language services include bilingual representatives for the reservation line, which serves as the primary contact with customers, as well as bilingual staff in the dispatch center, including bilingual Supervisors. Between these two centers there is at least one bilingual person on staff at all times. The ADA Paratransit service also has several bilingual vehicle operators. In addition to these oral language services, several written language services are available. The following are written communications that are printed in both Spanish and English:

- The ADA Paratransit brochure
- Marketing materials i.e. television and radio commercials
- ADA Paratransit Eligibility application
- Interior van posters and stickers displaying vital information, such as safety information
- Brochures with information about accessibility and general riding
- ADA compliant website

There are several measures in place to respond to LEP individuals. Vehicle operators, who are the primary in-person contact for LEP persons, have several methods to respond to an LEP individual. Many vehicle operators are bilingual; however, if the vehicle operator is not bilingual, they can contact dispatch for radio assistance with a Spanish-speaking passenger. They can also request a bilingual supervisor or vehicle operator to be sent for further assistance. Spanish speaking callers are directed to a bilingual dispatcher.

3. Training Staff

It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP plan. Properly training staff is a key element in the effective implementation of the LEP/plan.

There are four primary groups of staff members who are critical to the LEP plan: ICTC staff, bus operators, dispatchers and customer contact personnel, marketing staff, and management. Bus operators have the most frequent contact with LEP persons through daily interaction with passengers. Dispatch and customer contact personnel also have frequent contact with LEP persons either in-person or by telephone. These two groups are most likely to encounter LEP persons and thus to provide language assistance. LEP training for both of these groups occurs during their initial training. Additionally, this training is included in an annual safety meeting held for all bus operators. Training topics for these two groups include:

- Understanding the Title VI LEP responsibilities
- What language assistance services are offered

Specific procedures to be followed when encountering an LEP person

Management is also crucial in implementing LEP policy. It is their responsibility to disseminate LEP plan information to appropriate administrative and technical staff. Management should also ensure staff understands Title VI responsibilities.

IVT and ADA Paratransit

There are three primary groups of staff members who are critical to the LEP plan: bus operators, dispatch and customer contact personnel. Bus operators have the most frequent contact with LEP persons, through daily interaction with passengers. Customer contact personnel also have frequent contact with LEP persons, through the telephone reservation lines. These two groups are most likely to encounter LEP persons and thus to provide language assistance. LEP training for both of these groups occurs during their initial departmental training. Training topics for these two groups include:

- Understanding the Title VI LEP responsibilities
- Language assistance services available
- Specific procedures to be followed when encountering an LEP person

4. Monitoring and updating the LEP plan

This plan is designed to be flexible and should be viewed as a continuing work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate. At a minimum, ICTC, IVT and the ADA Paratransit services will follow the Title VI Program update schedule for the LEP plan. Each update should examine the following:

- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- What is the current LEP population in Imperial County?
- Has there been a change in the types of languages where services are needed?
- Have available resources, such as technology, staff and finances changed?
- Were any complaints received?
- Do staff members understand the LEP plan policies and procedures?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints to determine if services are accessible to Spanish speakers. Feedback from the LEP community will be sought through community outreach events and presentations to determine the effectiveness of the plan in reaching LEP persons. Special consideration will be given to the LEP plan when service enhancements or service reductions are scheduled, to ensure that LEP persons are aware of these services. Census data will also be reviewed as it becomes available to determine changes in the LEP population.

Future considerations for the LEP plan include:

- Continuing creating future websites in a bilingual format with English/Spanish
- Translating other brochures into Spanish
- Providing group travel training to LEP persons by working with bilingual staff

This plan outlines five key areas of an effective LEP strategy: identifying LEP individuals who need language assistance, primarily through Census data; language assistance measures, including written and oral language services, and responding to LEP persons on the telephone, in writing and in person; training staff, including coach operators, customer service representatives and management employees; providing notice to LEP persons through both oral and written communications; and monitoring and updating the LEP plan through a variety of means.

Description of Subrecipient Monitoring and Schedule of Subrecipient Title VI Program Submission

ICTC periodically monitors to determine a subrecipient's compliance with the FTA Title VI regulations. These reviews include service measurements, location of transit service and facilities, participation opportunities in the transit planning and decision-making processes, and communication needs of persons with limited English proficiency (LEP).

Title VI Equity Analysis

ICTC has not constructed any facilities, therefore no Title VI equity analysis have been conducted during the planning state with regard to the location of the facility.

Additional Information for Transit Providers that operate less than 50 fixed route vehicles in peak service and are not located in an Urbanized Area (UZA) of 200,000: System-Wide Policies and Service Standards

Effective Practices to Fulfill the Service Standard Requirement

Vehicle Load Standards

The average of all loads during the peak operating period should not exceed the following load factors for that service type:

Primary Corridor Bus: Loads not to exceed 1.57 passenger / seat

Local Services: Loads not to exceed 1.25 passengers / seat

Vehicle Headway Standards

Peak period headways on 1 N and 1 S will be 35 minutes, Monday through Friday. ICTC will explore the possibility of instituting 35-minute headways on route 2N and 2S within and throughout the Primary Corridor depending on the availability of funding.

Other lines may operate at longer headways, based on the long distances traversed, ridership, demand and transfer opportunities at the terminus of these lines.

On-Time Performance Standards

Fixed Route [Local and Intercity]:

ICTC endeavors to operate with no early departures before the time shown in the schedule brochure.

90 percent of all trips should be operated "on-time," defined as departing a published time-point no more than ten (10) minutes later than the published scheduled to accommodate the deviation pick-ups.

Demand Response:

95 percent of all monthly trips operate on-time ten minutes past the scheduled pick-up time, with the pick-up time defined as within the 30 minute manifest block.

Service Availability Standards

ICTC will endeavor to provide services where the populace lives and works. The updates to the Short Range Transit Plan will conduct a route spacing and route coverage analysis.

Effective Practices to Fulfill the Service Policy Requirement

Vehicle Assignment Policy

Fixed Route [Local and Intercity]:

Bus assignments take into account the operating characteristics of the various buses within the ICTC fixed route fleet, which are matched to the operating characteristics of the route. In the absence of specific operating requirements, vehicle assignments will be done so as to ensure a random rotation of fleet vehicles through the routes in the ICTC system.

Demand Response:

Except for situations requiring the assignment of a trip to a specific vehicle for reasons such as lift capacity, interior clearance or operating characteristics within the service area, demand response trips shall be assigned so as to ensure that vehicles are randomly operated in these services.

Transit Amenities Policy

The following policies will be applied as funding allows:

Installation of a shelter should be considered at bus stops with an average per trip boarding of 5 or more passengers. Seating/benches should be considered at bus stops with an average per trip boarding of 3 or more passengers.

Priority for benches and shelters should be given to bus stops serving senior housing or activity centers, or facilities which serve clients with mobility impairments.

Appendices

- A. Commission Minute Order # 012220-4D**
- B. Title VI Complaint Form (English)**
- C. Title VI Complaint Form (Spanish)**
- D. List of Transit-Related Title VI Investigations, Complaints, and Lawsuits (as of: January 2020)**
- E. Table of Racial Breakdown of transit related non-elected planning boards, advisory councils or committees**



1503 N. IMPERIAL AVE., SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

COMMISSION

Minute Order Number (012220-4D)

The Imperial County Transportation Commission (ICTC) at their regular meeting on Wednesday, January 22, 2020 took the following action(s) regarding the **Federal Transit Administration (FTA) Title VI Program for Federal Transit funds**

1. Approved the Imperial County Transportation Commission Title VI Plan.

I, Cristi Lerma, Secretary to the Imperial County Transportation Commission, certify that this is true of actions taken on the 22nd day of January 2020 by the ICTC Board.

A handwritten signature in blue ink that reads 'Cristi Lerma'.

CRISTI LERMA
SECRETARY TO THE COMMISSION

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

B. Title VI Complaint Form (English)



1503 N. IMPERIAL AVE. SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires 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 following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to the Title VI Coordinator: Imperial County Transportation Commission, 1503 N. Imperial Ave. Suite 104 El Centro, CA 92243.

1. Complainant’s Name _____

2. Address: _____

3. City: _____ State: _____ Zip Code: _____

4. Telephone Number (Home): _____ (Business): _____

5. Person discriminated against (if someone other than the complainant):

Name: _____ Relationship: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

Please confirm that you have obtained the permission of the aggrieved party: Yes No

6. Which of the following best describes the reason you believe the discrimination took place?

a. Race:

b. Color:

c. National Origin:

7. What date did the alleged discrimination take place? _____

8. In your words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

9. Have you filed this complaint with any other federal, state or local agency; or with any federal or state court? Yes: No:

If yes, please check each box that applies:

Federal Agency Federal Court State Agency

State Court Local Agency

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

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone number: _____

11. Signature and date required below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date

C. Title VI Complaint Form (Spanish)



1503 N. IMPERIAL AVE. SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

Título VI Formulario Para Reclamo

El Título VI del Acto de los Derechos Civiles de 1964 establece que “Ninguna persona en los Estados Unidos debe, por causa de raza, color, u origen nacional sea excluida de participación en, o ser negado los beneficios de, o ser sujeto a discriminación bajo cualquier programa o actividad que recibe asistencia financiera de parte del gobierno federal.”

La siguiente información es necesaria en asistirnos para procesar su reclamo. Si usted necesita ayuda para llenar este formulario, por favor háganoslo saber.

Llene y regrese este formulario al Coordinador de Título VI: Imperial County Transportation Commission, 1503 N. Imperial Ave. Suite 104, El Centro, CA 92243.

1. Nombre del Demandante: _____

2. Domicilio: _____

3. Ciudad _____ Estado: _____ Código Postal: _____

4. Número de Teléfono (hogar): _____ (Negocio): _____

5. Persona que fue discriminada (en caso de una persona distinta del autor):

Nombre: _____

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Explique la razón por la que el reclamo es presentado a través de una tercera persona:

Confirme que ha obtenido permiso del agraviado: Si No

6. ¿Cuál de las siguientes describe mejor la razón que usted cree que la discriminación se llevó a cabo? ¿Fue debido a su?:

a. Raza:

b. Color:

b. Origen Nacional:

7. ¿En qué fecha sucedió la presunta discriminación? _____

8. En sus propias palabras describa la presunta discriminación. Explique qué sucedió y quien cree usted fue responsable. Por favor utiliza el reverso de este formulario si necesita más espacio.

9. ¿A usted presentado esta queja a alguna otra agencia federal, estatal, o local; o con alguna corte federal o estatal? Si: No:

En caso afirmativo, por favor marque cada cuadrado que corresponde:

Agencia Federal Corte Federal Agencia Estatal

Corte Estatal Agencia Local

10. Por favor provea información sobre una persona de contacto en la agencia/corte donde presento su demanda:

Nombre _____

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Número de Teléfono: _____

11. Firma y fecha requeridas abajo. Usted puede adjuntar cualquier material escrito o cualquier otra información que considere relevante para su queja.

Demandante

Fecha Firme del

D. List of Transit-Related Title VI Investigations, Complaints, and Lawsuits (as of: January 2020)

There are currently no transit related Title VI investigations, complaints or lawsuits.

E. Table of Racial Breakdown of transit related non-elected planning boards, advisory councils or committees

TABLE DEPICTING THE MEMBERSHIP OF NON-ELECTED COMMITTEES AND COUNCILS as of: January 2020

Committee / Body	African American	Asian American	Caucasian	Latino	Native American	Other
ICTC Technical Advisory Committee (TAC)		1	7	6		
ICTC Social Services Transportation Advisory Council (SSTAC)			4	7		
ICTC Management Committee		1	5	4		