

Title VI Plan and Procedures

Title VI of the Civil Rights Act of 1964

The Pony Express

Town of Chincoteague, Inc.



Adopted on

May 4, 2015

TABLE OF CONTENTS	PAGE
I. Introduction	2
II. Overview of Services.....	3
III. Policy Statement and Authorities.....	4
IV. Nondiscrimination Assurances to DRPT.....	5
V. Plan Approval Document.....	5
VI. Organization and Title VI Program Responsibilities.....	7
VII. Procedures for Notifying the Public of Title VI Rights and How to File a Complaint.....	10
VIII. Language Assistance Plan for Persons with Limited English Proficiency (LEP).....	15
IX. Requirements of Transit Providers	18

APPENDICES

- A Title VI Notice to the Public; List of Locations
- B Title VI Complaint Form
- C Investigations, Lawsuits and Complaints Document
- D Summary of Outreach Efforts
- E Table – Minority Representation on Committees by Race

INTRODUCTION

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

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency.

Recipients of public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT) are required to develop policies, programs, and practices that ensure that federal and state transit dollars are used in a manner that is nondiscriminatory as required under Title VI.

This document details how **Town of Chincoteague, Inc.** incorporates nondiscrimination policies and practices in providing services to the public. **Town of Chincoteague's** Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically (at least every three years) to incorporate changes and additional responsibilities that arise.

I. OVERVIEW OF SERVICES

TRANSIT SERVICES PROVIDED AND AREAS SERVED

Directly Operated Fixed-Route Trolley Service

The Town of Chincoteague operates two fixed trolley routes, which can be accessed at designated stops or flagged down as needed by passengers. The routes are oriented towards transporting people to and from motels, campgrounds, retail shops, eating places, and the downtown area. These routes are described below and schedules are published in a brochure and on the Town website.

Green Route

The Pony Express Green Route service commences Labor Day Sunday and operates from 5:00 p.m. to 10:25 p.m. For the first few weeks, service runs solely Friday and Saturday. Beginning around the third week the trolley operates both weekdays and weekends. Throughout the summer and at the end of the season in October the Green Route provides extended hours for special events held within the Town of Chincoteague. After Labor Day, service is scaled back to Friday and Saturday, concluding around the third week in October. The Green Route provides service from the Municipal Center & Community Center to Main Street, the Carnival Grounds, Memorial Park & Recreational Area, the Museum of Chincoteague Island, and the Chincoteague Chamber of Commerce. The route is timed to operate every 30 minutes, except for the Pine Grove location which is hourly.

Red Route

The Pony Express Red Route service commences the second Saturday in June and operates Monday through Sunday, from 5:15 p.m. to 9:40 p.m. Service discontinues on the Red Route the last day of August. The Red Route provides service along a similar route as the Green Route, though it travels farther north and south on Main Street, but does not provide service as far east on Maddox Boulevard. The route is timed to operate hourly, except for service at Main Street and Church Street, and the Chincoteague Museum where service is 30 minutes.

II. POLICY STATEMENT AND AUTHORITIES

Title VI Policy Statement

Town of Chincoteague, Inc. is committed to ensuring that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, whether those programs and activities are federally funded or not.

The **Town of Chincoteague, Inc.** Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



Signature of Authorizing Official



Date

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 49 CFR Part 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the 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.

Additional authorities and citations include: Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d); Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.); Department of Justice regulation, 28 CFR part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs” (December 1, 1976, unless otherwise noted); 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 of 1964” (June 18, 1970, unless otherwise noted); Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, “Environmental Impact and Related Procedures” (August 28, 1987); Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, “Planning Assistance and Standards,” (October 28, 1993, unless otherwise noted); U.S. DOT Order 5610.2, “U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations,” (April 15, 1997); U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA’s Master Agreement, FTA MA 13 (October 1, 2006).

III. NONDISCRIMINATION ASSURANCES TO DRPT

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds.

As part of the Certifications and Assurances submitted to DRPT with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, **Town of Chincoteague, Inc.** submits a Nondiscrimination Assurance which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE), and nondiscrimination on the basis of disability (ADA).

In signing and submitting this assurance, **Town of Chincoteague, Inc** confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

IV. PLAN APPROVAL DOCUMENT

I hereby acknowledge the receipt of the **Town of Chincoteague, Inc** Title VI Implementation Plan 2015-2018. I have reviewed and approve the Plan. I am committed to ensuring that no person is excluded from participation in, or denied the benefits of Town of Chincoteague, Inc transportation services on the basis of race, color, or national origin, as protected by Title VI according to Federal Transit Administration (FTA) Circular 4702.1B Title VI requirements and guidelines for FTA sub-recipients.



Signature of Authorizing Official



DATE

ROBERT G. RITTER, JR., TOWN MANAGER

TOWN OF CHINCOTEAGUE, INC.

NOTE: *Provide here** a copy of meeting minutes, resolution, or other appropriate documentation showing that the board of directors or appropriate governing entity of official(s) responsible for policy decisions has reviewed and approved the Title VI Program.***

V. ORGANIZATION AND TITLE VI PROGRAM RESPONSIBILITIES

The **Town of Chincoteague's Town Manager and Director of Transportation** are responsible for ensuring implementation of the agency's Title VI program. Title VI program elements are interrelated and responsibilities may overlap. The specific areas of responsibility have been delineated below for purposes of clarity.

Overall Organization for Title VI

The Title VI Manager and Director of Transportation are responsible for coordinating the overall administration of the Title VI program, plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, and internal education.

Detailed Responsibilities of the Director of Transportation

The Director of Transportation is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received.
2. Collect statistical data (race, color or national origin) of participants in and beneficiaries of agency programs, (e.g., affected citizens, and impacted communities).
3. Conduct annual Title VI reviews of agency to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid fund contracts administered through the agency.
5. Conduct training programs on Title VI and other related statutes for agency employees.
6. Prepare a yearly report of Title VI accomplishments and goals, as required.
7. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
8. Identify and eliminate discrimination.
9. Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed 90 days.

General Title VI responsibilities of the agency

The Title VI Manager is responsible for substantiating that these elements of the plan are appropriately implemented and maintained, and for coordinating with those responsible for public outreach and involvement and service planning and delivery.

1. Data collection

To ensure that Title VI reporting requirements are met, Town of Chincoteague, Inc. will maintain:

- A database or log of Title VI complaints received. The investigation of and response to each complaint is tracked within the database or log.
- A log of the public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

2. Annual Report and Updates

As a sub-recipient of FTA funds, **Town of Chincoteague, Inc.** is required to submit a Quarterly Report Form to DRPT that documents any Title VI complaints received during the preceding quarter and for each year. **Town of Chincoteague, Inc.** will also maintain and provide to DRPT an annual basis, the log of public outreach and involvement activities undertaken to ensure that minority and low-income people had a meaningful access to these activities.

Further, we will submit to DRPT updates to any of the following items since the previous submission, or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency (LEP) plan
- procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints or lawsuits filed with the agency since the last submission
- A copy of the agency notice to the public that it complies with Title VI and instructions on how to file a discrimination complaint

3. Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Title VI Manager and Director of Transportation will review the agency's Title VI program to assure implementation of the Title VI plan. In addition, they will review agency operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

4. Dissemination of information related to the Title VI program

Information on our Title VI program will be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the “public outreach and involvement” section of this document, and in other languages when needed according to the LEP plan as well as federal and State laws/regulations.

5. Resolution of complaints

Any individual may exercise his or her right to file a complaint if that person believes that he, she or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. **Town of Chincoteague, Inc.** will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency’s Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described under Section 1. Data collection and reported annually (in addition to immediately) to DRPT.

6. Written policies and procedures

Our Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the course of the Annual Title VI Program Review (item 3 above), the Title VI Manager will determine whether or not an update is needed.

7. Internal education

Our employees will receive training on Title VI policies and procedures upon hiring and upon promotion. This training will include requirements of Title VI, our obligations under Title VI (LEP requirements included), and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (agency-wide training), or when appropriate in resolving a complaint.

Title VI training is the responsibility of the Director of Transportation.

8. Title VI clauses in contracts

In all federal procurements requiring a written contract or Purchase Order (PO), **Town of Chincoteague, Inc.**’s contract/PO will include appropriate non-discrimination clauses. The Title VI Manager will work with the Director of Transportation who is/are responsible for procurement contracts and PO’s to ensure appropriate non-discrimination clauses are included.

VI. PROCEDURES FOR NOTIFYING THE PUBLIC OF TITLE VI RIGHTS AND HOW TO FILE A COMPLAINT

Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, **Town of Chincoteague, Inc.** shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, in federally-funded vehicles, etc. A sample Public Notice is included as APPENDIX A- Title VI Notice to the Public; List of Locations, and will be displayed in all vehicles and facilities.

Public Notice

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

The Pony Express, Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Town of Chincoteague, Inc. or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name/	Robert G. Ritter, Jr., Title VI Manager or
Title:	Larry M. Welsh, Director of Transportation
Agency Name:	The Pony Express, Town of Chincoteague, Inc.
Address:	6150 Community Drive
City, State Zip code:	Chincoteague, Virginia 23336
Telephone Number:	(757) 336-6519
Email address:	rritter@chincoteague-va.gov , or larry@chincoteague-va.gov

Title VI Complaint Procedures

Requirement to Develop Title VI Complaint Procedures and Complaint Form.

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form. The form and procedure for filing a complaint shall be available on the recipient's website and at their facilities.

Sample of Narrative

Any individual may exercise his or her right to file a complaint with **Town of Chincoteague, Inc.** if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services. We will report the complaint to DRPT within three business days (per DRPT requirements), and make a concerted effort to resolve complaints locally, using the agency's Nondiscrimination Complaint Procedures. All Title VI complaints and their resolution will be logged and reported annually (in addition to immediately) to DRPT.

A person may also file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th floor – TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

Town of Chincoteague, Inc. includes the following language on all printed information materials, on the agency's website, in press releases, in public notices, in published documents, and on posters on the interior of each vehicle operated in passenger service:

Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color or national origin, as protected by Title VI in the Federal Transit Administration (FTA) Circular 4702.1B. For additional information on Town of Chincoteague, Inc.'s nondiscrimination policies and procedures, or to file a complaint, please visit the website at www.chincoteague-va.gov or contact Robert G. Ritter, Jr., Title VI Manager, 6150 Community Drive, Chincoteague, VA 23336

Instructions for filing Title VI complaints are posted on the agency's website and in posters on the interior of each vehicle operated in passenger service and agency's facilities, and are also included within **Town of Chincoteague, Inc.'s Ride the Pony Express** brochure.

A copy of Town of Chincoteague, Inc. Title VI Complaint Form is attached as APPENDIX B.

Procedures for Handling and Reporting Investigations/Complaints and Lawsuits

Should any Title VI investigations be initiated by FTA or DRPT, or any Title VI lawsuits are filed against **Town of Chincoteague, Inc.** the agency will follow these procedures:

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the Title VI Manager. The complaint is to be filed in the following manner:
 - a. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
 - b. The complaint shall be in writing and signed by the complainant(s).
 - c. The complaint should include:
 - the complainant's name, address, and contact information
 - (i.e., telephone number, email address, etc.)
 - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance).
 - a description of the alleged act of discrimination
 - the location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - an explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, and national origin
 - if known, the names and/or job titles of those individuals perceived as parties in the incident
 - contact information for any witnesses
 - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
 - d. The complaint shall be submitted to the **Town of Chincoteague, Inc.** Title VI Manager at **6150 Community Drive, Chincoteague, VA 23336**, rritter@chincoteague-va.gov , or **Director of Transportation**, larry@chincoteague-va.gov .
 - e. Complaints received by any other employee of **Town of Chincoteague, Inc.** will be immediately forwarded to the Title VI Manager.
 - f. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager. Under these circumstances, the complainant will be interviewed, and the **Town Staff** will assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager will immediately:
 - a. notify DRPT (no later than 3 business days from receipt)
 - b. notify the Town of Chincoteague, Inc. Authorizing Official
 - c. ensure that the complaint is entered in the complaint database
3. Within 3 business days of receipt of the complaint, the Title VI Manager will contact the complainant by telephone to set up an interview.

4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
5. If DRPT has assigned staff to assist with the investigation, the Title VI Manager will offer an opportunity to participate in the interview.
6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations.
7. The Title VI Manager will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
 - a. investigating contractor operating records, policies or procedures
 - b. reviewing routes, schedules, and fare policies
 - c. reviewing operating policies and procedures
 - d. reviewing scheduling and dispatch records
 - e. observing behavior of the individual whose actions were cited in the complaint
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file.
10. The Title VI Manager will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
11. At the conclusion of the investigation and **within 60 days** of the interview with the complainant, the Title VI Manager will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the Authorizing Official, DRPT, and, if appropriate, **Town of Chincoteague, Inc.**'s legal counsel.
12. The Title VI Manager will send a letter to the complainant notifying them of the outcome of the investigation. If the complaint was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to DRPT in the event the complainant wishes to appeal the determination. This letter will be copied to DRPT.
13. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. An interview cannot be scheduled with the complainant after reasonable attempts.
 - c. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
14. DRPT will serve as the appealing forum to a complainant that is not satisfied with the outcome of an investigation conducted by **Town of Chincoteague, Inc.** DRPT will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.

Transportation-Related Title VI Investigations, Complaints, and Lawsuits

Background

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

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

This list shall include the date that the transportation-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to DRPT every three years and information shall be provided to DRPT quarterly and annually. See Appendix C for a sample reporting form.

Public Outreach and Involvement

PUBLIC PARTICIPATION PLAN

Introduction

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that **Town of Chincoteague, Inc.** utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Under federal regulations, transit operators must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

Town of Chincoteague, Inc. established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

Town of Chincoteague, Inc. will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

VII. LANGUAGE ASSISTANCE PLAN FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by *Town of Chincoteague, Inc.* is based on FTA guidelines.

As required, *Town of Chincoteague, Inc.* developed a written LEP Plan (below). Using 2010 Census and American Community Survey (ACS) data, *Town of Chincoteague, Inc.* has evaluated data to determine the extent of need for translation services of its vital documents and materials.

LEP persons can be a significant market for public transit, and reaching out to these individuals can help increase their utilization of transit. Therefore, it also makes good business sense to translate vital information into languages that the larger LEP populations in the community can understand.

Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population

The agency has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data - American Community Survey (2009-2013)

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through www.census.gov for *Town of Chincoteague, Inc.*'s service area. The agency's service area includes a total of 9 persons (out of a population of 2,941) with Limited English Proficiency (those persons who indicated that they spoke English "not well," and "not at all" in the 2009-2013 ACS Census). Data for seasonal and tourist populations is not available.

Information from the 2009-2013 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other language may be needed to meet the needs of LEP persons.

• Spanish	[2]	[0.1%]
• Indo-European	[7]	[0.3%]
• Asian and Pacific Island Languages	[0]	[0]
• Other Languages	[0]	[0]

It is noted that there are relatively low number of LEP persons in the service area - no language other than English is spoken by over 5% or a total of 1,000 persons in the LEP population. We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area and adjust the program as needed.

Town of Chincoteague, Inc. does not currently provide programs, activities and services due to our minimal LEP population and lack of identified need. We will continue to monitor population change in the future and add offerings as needed.

Factor 2: Assessment of Frequency with Which LEP Individuals Come Into Contact with the Transit Services or System

Town of Chincoteague, Inc reviewed the relevant benefits, services, and information provided by the Pony Express and determined the limited extent to which LEP persons have come into contact with these functions through the following channels:

- Contact with transit vehicle operators;
- Calls to *Town of Chincoteague, Inc*'s customer service telephone line;
- Visits to the agency's headquarters;
- Attendance at community meetings or public hearings hosted by *Town of Chincoteague, Inc*

- Contact with the agency's ADA complementary paratransit system (including applying for eligibility, making reservations, and communicating with drivers).

We will continue to identify emerging populations as updated Census and American Community Survey data become available for our service area. In addition, when LEP persons contact our agency, we will attempt to identify their language and keep records on contacts to accurately assess the frequency of contact.

Factor 3: Assessment of the Nature and Importance of the Transit Services to the LEP Population

Town of Chincoteague, Inc. does not currently provide additional programs, activities and services due to our minimal LEP population and lack of identified need. We will continue to monitor population change in the future and add offerings as needed.

Factor 4: Assessment of the Resources Available to the Agency and Costs

We do not anticipate that these activities and costs will increase in the near future. Budgets in the future will reflect need assessed. Staff training would be added as need is assessed.

Monitoring/updating the plan

This plan will be reviewed on a periodic basis (at least every three years), based on feedback, updated demographic data, and resource availability. As the community grows and new LEP groups emerge, Town of Chincoteague, Inc. will strive to address the needs for additional language assistance if needed.

LEP Implementation Plan

Through the four-factor analysis, *Town of Chincoteague, Inc.* has determined that a written Language Implementation Plan is not required at this time, which is permissible under FTA Circular C4702.1A. **Town of Chincoteague, Inc.** understands that the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to our program or activities. When appropriate, **Town of Chincoteague, Inc.** will provide translation of vital documents, provide access to language assistance services, and provide staff training on policies and procedures related to assisting LEP persons. A summary of outreach efforts is attached as **APPENDIX D**.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.”

Town of Chincoteague, Inc. does not have a transit-related or non-elected planning board, advisory council or committee, but will consider one in the future as the need arises. Participation in future committees will be documented as indicated in **Appendix E**.

VIII. REQUIREMENTS OF TRANSIT PROVIDERS

Requirements and Guidelines for Fixed Route Transit Providers

The requirements apply to all providers of fixed route public transportation (also referred to as transit providers) that receive Federal financial assistance, inclusive of States, local and regional entities, and public and private entities.

Transit providers that are sub-recipients will submit the information to their primary recipient (the entity from whom they directly receive transit funds) every three years on a schedule determined by the primary recipient. The requirements are scaled based on the size of the fixed route transit provider.

REQUIRED: Service Standards and Policies

- **Service Standards**
 - Vehicle load, Vehicle headway, On-time performance, Service availability
- **Service Policies**
 - Transit amenities, Vehicle assignment

Town of Chincoteague, Inc. is required to plan and deliver transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. *Town of Chincoteague, Inc.* has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

The agency has set standards and policies that address how services are distributed across the transit system service area to ensure that the distribution affords users equitable

access to these services. Our transit trolley service is a fixed route which serves a tourist population as well as the local citizens equally throughout the Town.

Service standards were reviewed and adopted in the Town of Chincoteague, Inc. TDP in 2012. The agency's demand responsive services are available to all callers on a first-come first-served basis, without regard for race, color or national origin.

The following system-wide service standards are used to guard against service design or operations decisions from having disparate impacts. All of *Town of Chincoteague, Inc.*'s services meet the agency's applicable standards; thus it is judged that services are provided equitably to all persons in the service area, regardless of race, color or national origin.

- **Productivity** - Passenger Trips Per Revenue Hour
Review and modify, if warranted, routes between 60% and 80% of average
Average is currently 12.2 trips per revenue hour
- **Cost Efficiency** - Operating Cost Per Revenue Hour
Review and modify, if warranted, routes between 60% and 80% of average
Average is currently \$64.98 per trip
- **Cost Effectiveness** - Operating Cost Per Passenger Trip
Review and modify, if warranted, routes between 60% and 80% of average
Average is currently \$5.31 per trip
- **Safety** - Safety Incidents per 100,000 miles
10 or fewer "reportable incidents" per 100,000 miles, as defined by the National Transit Database. A reportable incident is one in which one or more of the following conditions apply:
 - A fatality
 - Injuries requiring medical attention away from the scene for one or more persons
 - Property damage equal to or exceeding \$25,000*
- **Qualitative Standards**
 - Revenue Equipment
 - Public Information
 - Working air conditioning; and vehicles are clean and in good condition
 - Timetable, maps, and website are current and accurate

Service and Operating Policies

The *Town of Chincoteague's* service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities** - Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. *Town*

of Chincoteague has a policy to ensure the equitable distribution of transit amenities across the system. This policy applies to seating (i.e., benches, seats), bus shelters and canopies, (c) provision of information, Intelligent Transportation Systems (ITS), waste receptacles (including trash and recycling). Passenger amenities are sited based on *equal distribution*.

- **Vehicle assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. *Town of Chincoteague* assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The **Director of Transportation** reviews vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

Monitoring Title VI Complaints

As part of the complaint handling procedure, the Title VI Manager investigates possible inequities in service delivery for the route(s) or service(s) about which the complaint was filed. Depending on the nature of the complaint, the review examines span of service (days and hours), frequency, routing directness, interconnectivity with other routes and/or fare policy. If inequities are discovered during this review, options for reducing the disparity are explored, and service or fare changes are planned if needed.

In addition to the investigation following an individual complaint, the Title VI Manager periodically reviews all complaints received to determine if there may be a pattern. At a minimum, this review is conducted as part of preparing the Annual Report and Update for submission to DRPT.

Fare and Service Changes

Town of Chincoteague follows its adopted written policy for the public comment process for major service reductions and fare increases. With each proposed service or fare change, *Town of Chincoteague* considers the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

APPENDIX A



Title VI Public Notice

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

The Pony Express, Town of Chincoteague, Inc. is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. If you feel you are being denied participation in or being denied benefits of the transit services provided by Town of Chincoteague, Inc. or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, our contact information is:

Name/	Robert G. Ritter, Jr., Title VI Manager or
Title:	Larry M. Welsh, Director of Transportation
Agency Name:	The Pony Express, Town of Chincoteague, Inc.
Address:	6150 Community Drive
City, State Zip code:	Chincoteague, Virginia 23336
Telephone Number:	(757) 336-6519
Email address:	rritter@chincoteague-va.gov , or larry@chincoteague-va.gov

APPENDIX B
TITLE VI COMPLAINT FORM

The Pony Express, Town of Chincoteague, Inc.
6150 Community Drive, Chincoteague, VA 23336
Phone: (757) 336-6519 Email: larry@chincoteague-va.gov

Please Note: The complaint should include the following information
Your name, address and how to contact you (telephone number, email address, etc.)
How, when, where, and why you believe you were discriminated against.
The location, names and contact information of any witnesses.

If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	
Section VI	
Name of agency complaint is against: _____	
Contact person: _____	
Title: _____	
Telephone number: _____	

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

Signature and date required below

Signature

Date

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No
Section V				
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?				
<input type="checkbox"/> Yes <input type="checkbox"/> No				

APPENDIX C

INVESTIGATIONS, LAWSUITS AND COMPLAINTS DOCUMENT

List of Investigations, Lawsuits and Complaints

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

APPENDIX D

SUMMARY OF OUTREACH EFFORTS

PUBLIC OUTREACH AND INVOLVEMENT

Public outreach and involvement applies to and affects Town of Chincoteague, Inc.'s mission and work program as a whole, particularly agency efforts and responsibilities related to Town of Chincoteague, Inc.'s service planning. The overall goal of Town of Chincoteague, Inc.'s public outreach and involvement policy is to secure meaningful public notification about, and participation in, major actions and decisions by Town of Chincoteague, Inc. In seeking public comment and review, Town of Chincoteague, Inc. makes a concerted effort to reach all segments of the population.

Public Outreach Activities

Town of Chincoteague, Inc. will take steps to ensure that minority, low-income, and LEP members of the community have meaningful access to public outreach and involvement activities when the need of additional public outreach is identified. Public notices appear currently in local newspaper publication, and in the form of a glossy tri fold brochure, web page and cable TV advertisement. Any changes to our program would be announced in this format. The above activities are the responsibility of Larry Welsh, Director of Transportation.

Non Elected Board Diversity

Town of Chincoteague, Inc. does not have a Transit Advisory Board but will consider one in the future as the need arises.

**APPENDIX E
TABLE OF MINORITY REPRESENTATION
ON COMMITTEES BY RACE**

1. *Please provide a description of your selection process, including recruitment efforts made to encourage the participation of minorities on such committee(s)*

2. *Please provide a table(s) depicting the racial breakdown of the membership of those committees*

Committee	Black or African American	White/Caucasian	Latino/Hispanic	American Indian or Alaska Native	Asian	Native Hawaiian or other Pacific Islander	Other *Note	Totals
Transit Advisory Committee (CAC)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
% of TAC Committee								

**Note – Other races reported: Lithuanian, Ukrainian, and Polish*