



INDIANA COUNTY TRANSIT AUTHORITY TITLE VI POLICY AND COMPLAINT PROCESS

The Indiana County Transit Authority (INDIGO) grants equal access to its programs and services to all citizens. This document serves to make citizens aware of their rights to such access, and serves to educate citizens so that they may understand the civil rights laws that protect their receipt and benefit of such services as defined by Title VI of the Civil Rights Act of 1964.

WHAT IS TITLE VI?

Title VI is a section of the Civil Rights Act of 1964 requiring that " No person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance" Note that Title VI does not address gender discrimination. It only covers race, color and national origin. Other Civil Rights laws prohibit gender discrimination.

INDIGO'S TITLE VI COMPLAINT AND INVESTIGATION PROCEDURES

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 for alleged discrimination in any program or activity administered by the Indiana County Transit Authority.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and INDIGO may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file separate complaints.

- 1.) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. An INDIGO Title VI complaint form can be found at the end of this document. INDIGO encourages individuals to submit Title VI complaints in writing using this form and mailing it to:

Title VI Coordinator
Indiana County Transit Authority
PO BOX 869
Indiana PA 15701

- 2.) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to INDIGO Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and INDIGO Title VI Coordinator will assist the complainant in completing a written statement.
- 3.) When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) business days by registered mail or hand delivery.
- 4.) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- 5.) Within 15 business days from receipt of a complete complaint, INDIGO will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Executive Director or his/her authorized designee will notify the Complainant and Respondent, by registered mail or hand delivery informing them of the disposition.
 - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - b. If the complaint is to be investigated, the notification shall state the grounds of INDIGO's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6.) When INDIGO does not have sufficient jurisdiction, the Executive Director or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7.) If the complaint has investigative merit, the Executive Director or his/her authorized designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Executive Director within 60 days from receipt of the complaint. The report will include a description of the incident, summaries of all persons interviewed, and a finding with recommendations and proposed resolution where appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested
- 8.) The Executive Director or his/her authorized designee will issue letters of finding to the complainant and Respondent within 90 days from receipt of the complaint.

9.) If the Complainant is dissatisfied with INDIGO's resolution of the complaint, he/she has the right to file a complaint in the time allotted by law with:

Federal Transit Administration
Region 3
1760 Market Street
Suite 500
Philadelphia, PA 19103-4124
(215) 656-7100 (telephone)
(215) 656-7260 (fax)

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REVISED and adopted by Board Action at a regularly scheduled meeting 2-28-2014.
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TITLE VI COMPLAINT FORM

Indiana County Transit

COMPLAINT FORM

INSTRUCTIONS: If you would like to submit a Title VI Complaint to Indiana County Transit Authority, please complete the form below and return to: INDIGO, Attention: Title VI Coordinator, PO BOX 869 Indiana PA 15701. For questions, please contact INDIGO at **1-800-442-6928** or email to **comment@indigobus.com**

1. Name (Complainant):	
2. Phone:	3. Home Address (street #, city, state, zip code):
4. If applicable, the name of the person(s) who you believe discriminated against you:	5. Date of the incident:
6. Discrimination based on (please check all that apply): Race Color National Origin	
7. Briefly explain what happened and how you feel you were discriminated against. Please include how you feel that others were treated differently than you.	
8. Why do you believe these events occurred?	
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9. Is there any other information that you feel may be relevant to this investigation?

10. How can these issues be resolved to your satisfaction?

11. Please list any person(s) who we can contact for additional information or to support/clarify your complaint:
Name: Address: Phone Number:

12. Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?
Yes No
If yes, circle all that apply:
Federal Agency Federal Court State Court State Agency Local Agency
If filed at an agency and/or court, please provide information on a contact person at that Agency/Court:
Agency/Court Contact's Name: Address: Phone Number:

Signature (Complainant):

Date of Filing:



Introduction

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination against Persons with Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the Indiana County Transit Authority (INDIGO) and governments, private and non-profit entities, and sub recipients.

Plan Summary

INDIGO has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to INDIGO services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the INDIGO's extent of obligation to provide LEP services, INDIGO conducted a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the INDIGO service area who may be served or likely to encounter an INDIGO program, activity, or service; 2) the frequency with which LEP individuals come in contact with INDIGO services; 3) the nature and importance of the program, activity or service provided by the INDIGO to the LEP population; and 4) the resources available to the INDIGO and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analyses

1. The number or proportion of LEP persons eligible in the INDIGO service area who may be served or likely to encounter a INDIGO program, activity, or service.

The INDIGO examined the US Census report from 2010, and, using data from Census tracts in the INDIGO service area, was able to determine that approximately 93.2% people within INDIGO's service area age 5 and older spoke only English. Approximately 6.2% speak a language other than English. Of the 5700 people reporting they speak other languages than English, 1032 or 1.2% of respondents speak Spanish or Spanish creole. Of those reporting they speak a language other than English, 78.1% report they speak English very well. Those who spoke Spanish or Spanish Creole 92.1% spoke English very well.

2. The frequency with which LEP individuals come in contact with an INDIGO program, activity, or service.

INDIGO assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying drivers and customer service personnel. INDIGO has had no requests for interpreters and zero requests for translated INDIGO documents. INDIGO staff and drivers have had very little to no contact with LEP individuals.

3. The nature and importance of the program, activity, or service provided by the INDIGO to LEP community.

There is no large geographic concentration of any one type of LEP

individuals in the INDIGO service area. The overwhelming majority of the populations, 95.2% of residents speak only English. Therefore, for the most part, LEP individuals do not use INDIGO's services. However, international students from nearby Indiana University of Pennsylvania do use INDIGO's fixed-route system. While none of these students have ever required language assistance, and do speak English very well, INDIGO's services are very important to these individuals in order to provide access to shopping and leisure activities outside of the Indiana University Campus.

4. The resources available to INDIGO and overall costs

INDIGO assessed its available resources that could be used for providing LEP assistance. This included identifying costs associated with subscription to the Language Line service, the costs of additional translation services such as a professional interpreter on an as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that INDIGO could partner with for outreach and translation efforts, and what level of staff training is needed. After analyzing the four factors, the INDIGO developed the plan outlined in the following section for assisting persons of limited English proficiency at a low cost.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When INDIGO sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Have the Census Bureau's "I Speak Cards" at the workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available at the INDIGO Transit Center; and
- Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any

direct or indirect contact with LEP individuals.

Language Assistance Measures

INDIGO has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the INDIGO service area:

- Census Bureau's "I Speak Cards" are to be located in the Transit Center waiting area at all times.
- IndiGO's Website has been redesigned to include a translator at the bottom of the page (Google translate)
- When an interpreter is needed, in person or on the telephone, staff will utilize the Language Line Service.

INDIGO Staff Training

All INDIGO staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the INDIGO staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services the INDIGO offers;
- Use of LEP "I Speak Cards";
- How to use the Language Line interpretation and translation services;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint

Outreach Techniques

INDIGO does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that INDIGO will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be

printed in an alternative language, based on known LEP population in the area.

- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into "A (insert alternative Language) translator will be available".
- Key print materials will be translated and made available at the INDIGO Transit Center, on board vehicles and in communities when a specific and concentrated LEP population is identified

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, INDIGO will follow the Title VI Program update schedule for the LEP Plan.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in INDIGO service area?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified INDIGO programs? Are there other programs that should be included?
- Have the INDIGO's available resources, such as technology, staff, and financial costs changed?
- Has the INDIGO fulfilled the goals of the LEP Plan?
- Were any complaints received?

As part of the monitoring and update plan, the INDIGO will track the activity of usage of its services by LEP persons and requests for assistance from Customer Service and Operator staff, and record information from annual passenger surveys which will identify the language spoken by passengers and their need for assistance. INDIGO will also maintain communication with municipalities in its service area at a minimum on an annual basis to identify LEP individuals who may have moved into a part of INDIGO's service area and may require assistance. These municipalities will also be instructed to contact INDIGO with any requests that they may receive for language assistance.

Dissemination of the INDIGO Limited English Proficiency Plan

INDIGO includes the LEP plan on the INDIGO website (www.indigobus.com) together with its Title VI Policy and Complaint Procedures. The INDIGO's Notice of Rights under Title VI to the public is available in the INDIGO Transit Center and on all vehicles.

Any person, including social service, non-profit, and law enforcement agencies, along with other community partners with Internet access will be able to access the plan.

Copies of the LEP Plan will be provided upon request. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the INDIGO Title VI Coordinator.

INDIGO Title VI Coordinator
Indiana County Transit Authority
PO BOX 869
Indiana PA 15701
Phone: 724-465-2140
Fax: 724-465-1933
Email: jkanyan@Indigobus.com